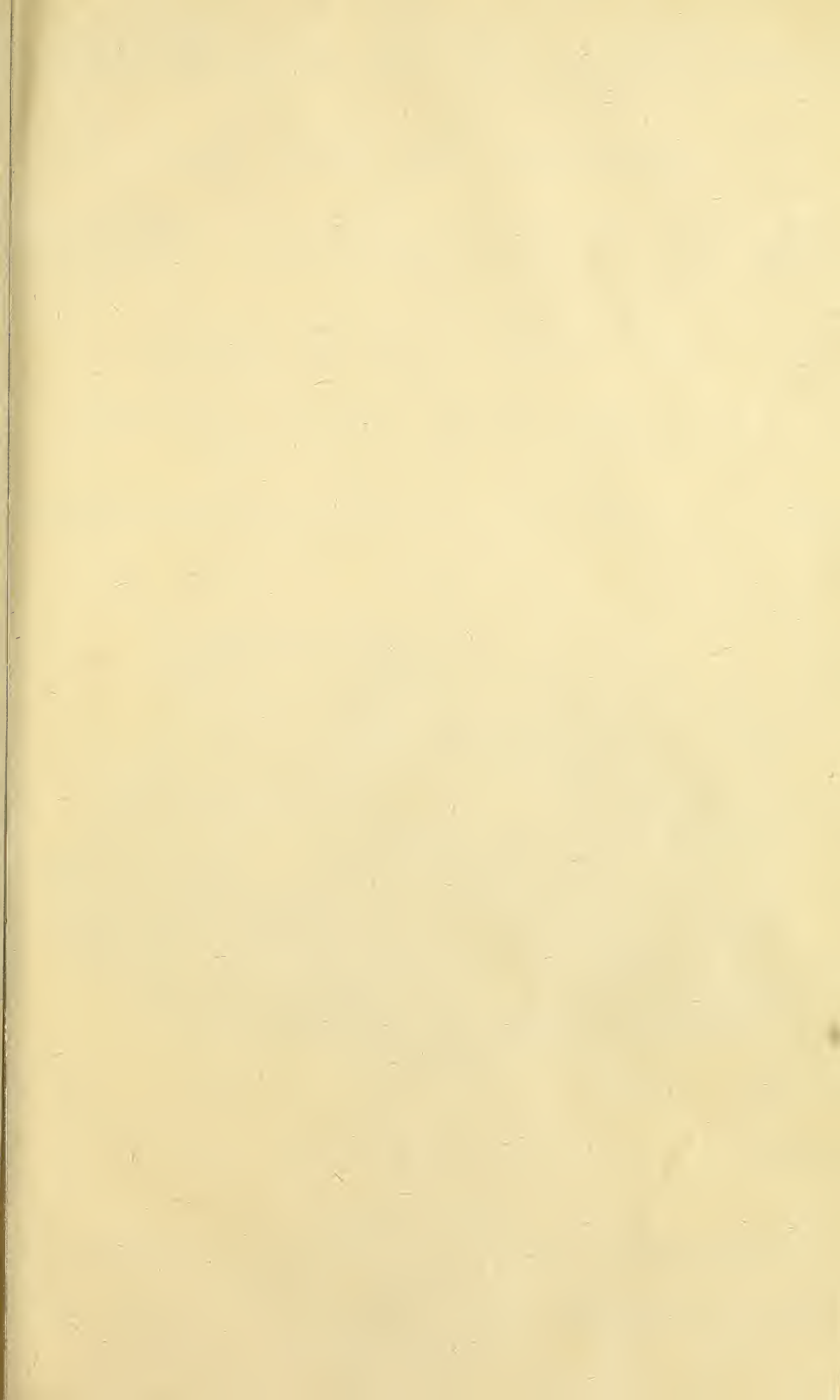




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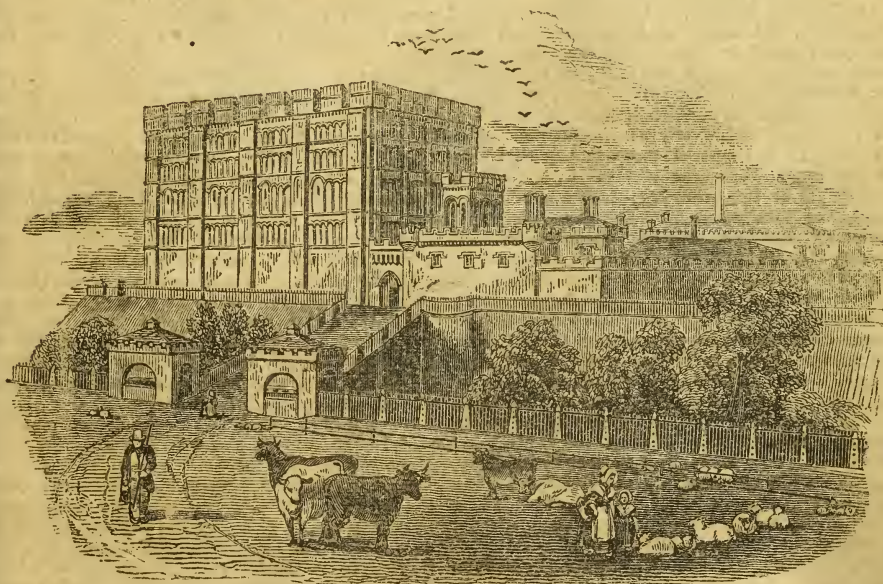
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"NORFOLK NEWS" EDITION.

LIFE, TRIAL, AND EXECUTION
OF
JAMES BLOMFIELD RUSH,
FOR THE
MURDER OF ISAAC JERMY, ESQ.,
AND OF
JERMY JERMY, ESQ., HIS SON,
AT THEIR RESIDENCE, STANFIELD HALL, NORFOLK.

With Portrait, Correct Views, and Plans of Stanfield Hall and Potash Farm.



NORWICH CASTLE, IN FRONT OF WHICH RUSH WAS EXECUTED.

FOURTH EDITION.

NORWICH:

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THE STANFIELD HALL MURDERS.

THAT the reader may be enabled clearly to understand all the minutiae of the following trial, it has been thought advisable, by way of preface, to furnish a succinct account of the particulars of the melancholy event. On the evening of Tuesday, the 28th of November, the inhabitants of the city of Norwich were thrown into a state of unprecedented alarm by the arrival of a telegraphic message, stating that Isaac Jermy, Esq., the recorder of Norwich, who resided at Stanfield Hall, a distance of about nine miles, and his son, Isaac Jermy Jermy, had been brutally murdered, and that the lives of other inmates of the mansion had been attempted by the assassin.

Immediately on the arrival of the message, the intelligence was despatched, by telegraph, throughout the kingdom, accompanied by directions from the active superintendent of the Norwich police force, that Rush, who has since been convicted of the murder, and on whom alone suspicion fell, should be at once taken into custody, if he was anywhere to be found. That this precaution, though highly advisable, was quite unnecessary, will be seen in the sequel, the wretched murderer having, immediately after the commission of the frightful deeds, returned to his own house, where he was, some hours after, apprehended.

On Tuesday evening, the family, consisting of Mr. Jermy, Mr. and Mrs. Jermy, jun., and Miss Jermy, a young lady of about fourteen years of age, had been dining together, and had just retired into the drawing-room, when Mr. Jermy, as was his custom, stepped out at the hall door. (Marked A on the plan.) This was about half-past eight o'clock. It is supposed that, at this time, the assassin must have been secreted in one of the corners (B or C), while Mr. Jermy went to the other, and that before Mr. Jermy re-entered the porch, the assassin had stationed himself within it, at the point D. As Mr. Jermy returned, he received a charge from a gun or pistol, which entered his heart, and he fell dead upon the mat and flag-stone (E), which exhibited signs of a large effusion of blood.

Immediately after the perpetration of this deed, the assassin appears to have hastened to the servants' door (F), which he entered, and proceeding through the short passage, turned to the left. At the end of the long passage (at G), he was met by the butler, towards whom he kept his side, and "nudging" him with his left elbow, towards the butler's pantry, seemed to intimate that it would be better for him to retreat in that direction. The butler took his silent advice, and hastened into the pantry, without doubt greatly alarmed; the assassin, who was in disguise, holding his arms extended, with a pistol in each hand. Proceeding through the passage (H) the wretch had arrived at the point (I), when he saw Mr. Jermy, jun., who having been alarmed by the noise of the first shot, was proceeding towards the servants' hall, to make inquiries as to the cause, and had just opened the door leading from the staircase hall. The villain at once discharged another pistol, the contents of which Mr. Jermy received in his breast, and fell lifeless on the spot, under the hall staircase, which runs over the doorway, between I and J. Mrs. Jermy immediately hastened from the dining-room, and running in the direction of the noise, stumbled over the body of her husband, past the murderer, into the lobby, at K. The heartless villain, without a moment's hesitation, attempted her immediate destruction, and the wall near the point at which she stood, exhibited marks

of a portion of the fearful charge which was aimed at her person. Part of the charge entered her right arm, shivering the bone for two or three inches above the elbow, and frightfully lacerating the flesh. It has since been found necessary to amputate the limb.

At this moment, it appears that two servants, Margaret Read, the cook, and Eliza Chestney, the ladies' maid, were in the servants' hall, when, hearing the third report, the ladies' maid courageously rushed through the long passage to the last scene of destruction. She there found her unfortunate mistress, whom she immediately attempted to sustain from falling, but was herself shot in the right thigh by the assassin, whom she saw standing in the staircase hall.

In consequence of the screams which she uttered, the cook was also about to hurry to the spot, but stopped suddenly at the door of the passage (L), in consequence of seeing Miss Jermy hastening towards her, down the long passage, screaming. Behind Miss Jermy she observed the assassin following, with a pistol in his right hand. [This passage is lighted by a small glass lamp (at M), by the faint gleam of which the cook was enabled to observe the man's general figure and dress.]

Miss Jermy and the cook fearing lest they, too, should fall a prey to the same diabolical treatment, fled through the back door (N) into the stables, where they remained in trembling concealment for some time, until informed by the butler that the villain had decamped.

Either the moment before or after the murderer was seen in the long passage by the cook, Maria Blanchflower, the nursemaid, having just descended the stairs into that passage, turned her head and saw him coming round the corner by the lamp, and carrying a pistol in his right hand. She hastened immediately, in a state of great alarm, through the servants' hall, and secreted herself in the back kitchen, until the murderer had escaped, and the terror had in some measure subsided.

During all this time nothing whatever was known of the fate of Mr. Jermy, sen., every survivor in the house being afraid to go out of doors. The noise of fire-arms having been first heard outside of the house, naturally gave rise to the apprehension that the assassin, who had been seen within, was not without accomplices in his bloody work.

As soon as the news was spread, several persons armed themselves and proceeded at once to the hall. A considerable number also of gentlemen from different parts of the country were quickly on the spot, and the body of Mr. Jermy, sen., was then found. In the meantime a body of police arrived from Norwich, who, with the Wymondham officer, were directed to proceed to Rush's house, a distance of seven furlongs, by the fields. There they watched until Rush came down stairs, about six o'clock in the morning, when they immediately apprehended him. Some of the officers remained to search the house, while others took the prisoner for examination before the magistrates. Several witnesses were examined on that and several subsequent days, and the result was the committal of Rush to Norwich Castle for trial. An inquest was also held before Mr. Press and an intelligent jury, who, after a very protracted inquiry, which was from time to time adjourned, found the prisoner guilty of the murders.

At the prisoner's house several disguises were found, and also two guns with shot, caps, powder, &c., but no pistols were discovered, although the search was continued, on the farm, for many weeks, by upwards of seventy labourers and policemen.





LIFE AND PARTICULARS

OF

JAMES BLOMFIELD RUSH.

THE extraordinary details of the Stanfield hall assassinations, and the awful punishment which has overtaken the murderer, awaken a natural and justifiable desire to learn something of the history of the man who could perpetrate so horrible a deed, and especially to know the first steps of that sinful career which has brought him to so fearful an end.

The name of *James Blomfield Rush* was familiar to the agriculturists of Norfolk, long before the recent tragical events. He was the illegitimate child of Miss Mary Blomfield, by a gentleman residing near Wymondham, to whom she had been engaged. The connection, however, was broken off, and Miss Blomfield was soon after married to Mr. Rush, who then occupied a farm at Felmingham, belonging to the father of the late Recorder, the Rev. G. Preston; and the boy, then about two years old, was allowed to take his mother's new name, in addition to his own, and was regarded with kindness by his foster-father, who, having no family of his own, eventually adopted him.

When old enough, he was placed at school, at Eye, under the care of Mr. Nunn. By his companions he was considered to be a shrewd and clever lad, but sadly given to trickery and school-boy frauds. It is stated, by some of his school-fellows, that he was prone to fighting, a charge which he has recently denied in print.

On leaving school, his attention was directed to agricultural pursuits, and, in the year 1824, he was placed in a small farm at Aylsham, which he managed on his own account. At this early age, he does not appear to have been free from charges affecting his moral character: the cunning and trickery of the school-boy were now ripening into sharp practice, if not into direct fraud, in his commercial transactions. He contrived, however, to maintain an external propriety of demeanour, attended his parish church with some regularity, and associated with families of character and respectability, in the neighbourhood, by whom he was regarded as a thriving young man, of good prospects in the world.

With these qualifications, it is not strange that, with an appearance not unpleasing, he should be kindly received, and at length accepted by a young lady of amiable and excellent character, the daughter of Mr. Soames, a highly respectable gentleman, residing in the neighbourhood. On his marriage, in 1828, he removed to Wood Dalling, taking the Dalling Hall Farm in that parish, under W. E. L. Bulwer, Esq.

It had been well for Rush if the comforts of his own fire-side and the attractions of home had withdrawn him from dangerous associations abroad. But, unfortunately, he formed an intimacy with Cobbett—read his books with avidity, and adopted not only his political, but his anti-religious views. Paine's "Age of Reason," which Cobbett recommended, next became his study, and as he drank in the draughts of poison it contained, their pernicious influence became visible in his whole demeanour. He no longer sought and delighted in the society of his friends and equals, but almost wholly addicted himself to the companionship of persons of low taste and depraved habits. Political discontent, which was rife amongst the agricultural labourers, he delighted rather to foster than to quench; and being set loose from the restraints which had previously, in some slight measure, held him back, he gave a freer vent to his depraved

desires. He was known among his companions as a libertine, and we believe few have more regularly and remorselessly followed out, in this particular, the desires of a depraved and sensual appetite. He made a boast of seduction, and many a heart and many a family have been saddened by his criminal atrocities. When thoroughly set on a purpose of this kind, he was to be deterred by no difficulty. He would undertake journeys—lay plans—execute manœuvres—resort to artifice, persuasion, flattery, or falsehood; and truly he had the desire of his heart.

It may not be amiss, however, to interrupt for a moment the thread of our narrative, to see how this course of crime brought its punishment in its train. He was living to the last with a mistress whom he had shamefully seduced from a course of purity, and to whom he had made a promise of marriage; and in that awfully solemn and appropriate address, in which Baron Rolfe pronounced on Rush the sentence of condemnation, his lordship thus reminds him how his sin of sensuality was closely connected with the proof of the murders for which he was condemned:—"In the mysterious dispensations of the Almighty, not only is much evil permitted, but much guilt is also allowed to go unpunished. Perhaps it is presumption, therefore, to attempt to trace the finger of God in the development of every particular guilt or crime; but the mind does delight sometimes in making such investigations; and I can in this case but remark, that if you had performed to that unfortunate girl the promises you made her, to make her your wife, the policy of the law, which seals the lips of a wife in any proceedings against her husband, might have permitted you to go unpunished."

It is not however a little remarkable, that whilst living in the habit of these sensual indulgences, ever devising and carrying into execution new schemes of wickedness, he so completely dissembled his designs, and so artfully cloaked his real character, that friends who visited for weeks together in the family, observed nothing to excite suspicion, and we have it from one who was a frequent inmate, and for years on terms of intimacy with his amiable and exemplary wife, that she never saw a look, or heard a word at which the purest female would have blushed.

It will be remembered by many of our readers, that, in 1830, the introduction of threshing machines excited great dissatisfaction among the agricultural labourers; and, on the 24th of November in that year, a considerable number of persons assembled at Foulsham, for the purpose of destroying all the machines in use in that neighbourhood. Upon the appearance, however, of a company of horsemen, under the direction of the Hon. G. J. Milles, P. Boileau, Esq., and Sir Jacob Astley, they dispersed and fled in all directions. Some of them taking a path to Dalling farm, were pursued, and a man named Joyce was apprehended by Sir Jacob Astley's gamekeeper, near Rush's stables. Rush, who was in his meadow at the time, rode back, and, it is alleged, urged some of his own men to rescue Joyce. This they succeeded in doing, and, at the March assizes of 1831, he was indicted for aiding and assisting in this rescue; a compromise was offered on the part of the prosecution, and on Rush's entering into recognizances to keep the peace, a verdict was not pressed for.

In the following year, a circumstance occurred sufficiently suspicious to give a colouring of truth to a charge of a serious nature, which was brought against him. A wheat-stack on his farm was burned down, and he was strongly suspected of being the incendiary. What the causes of suspicion were it is not easy now to trace. There was clearly no proof on which the fire-office could resist his claim, which was paid, after some months of litigation as to its amount. He claimed £76 16s., and on a reference of the dispute to arbitration he received £57 7s. 6d. The prevalent notion, that he was indicted for the crime, and the bill ignored by the Grand Jury, because his real name was James Blomfield, not James Blomfield Rush; or that he was acquitted, on the ground that he had not defrauded the office, because he had not applied for the amount of his policy; or that he did apply for the money, but hesitated to take it, when informed that he would immediately be proceeded against if he dared to do so—are all equally without foundation; and it is a matter for curious inquiry how such reports should long ago have obtained almost universal credence.

At Michaelmas, 1835, he became a tenant of the Felmingham farm (late Hall's), under the Rev. G. Preston, the father of the late Recorder, to whom he was already known, having frequently transacted business with him for his father.* Rush hired

* Speaking of this move, he thus writes, in 1848:—"And here I warn my sons never to take larger business in hand than they have capital for. It has been the ruin of hundreds, besides; for even if the villain (*i. e.* Jermy) had behaved as he ought to have done, to have acted with common honesty I should never have done myself much good, nor half so much as if I had remained at Dalling, where I

this farm at a yearly rental of £110, under a lease for eighteen years, and accepted, at the same time, an agreement for a lease of the farm formerly held by Mr. Rush, sen., for the same term, at a rental of £130 per annum. The following Michaelmas—viz., 1836—he obtained a lease of the Stanfield-hall Farm for twelve years, at a rental of £500. This was done in direct opposition to the advice and wishes of his father. At this time Rush had an extensive connection as a land-agent, auctioneer, and appraiser, a considerable portion of the Michaelmas sales being entrusted to him; he also acted as a land-agent or steward to the Rev. G. Preston, who placed great confidence in him, and often sought his advice on important business-matters. On the death of this gentleman, which took place in October, 1837, his son, Isaac Preston, Esq., who subsequently changed his name to that of Jermy, succeeded to his late father's estates; and at that period arose the unfortunate and fatal differences between the Recorder and his tenant, which continued with little cessation until the time of the murder.

An action was then brought against him for a breach of covenants, which threatened him with heavy damages. He however effected a compromise with his landlord, and paid £100 for the breach, and all legal expenses occasioned by the action.

In March, 1838, Mr. Jermy set aside the leases which his late father had granted to Rush and his father-in-law, but subsequently granted new ones. Rush's account of the matter is, that Mr. Jermy (himself a Barrister) had examined and approved the leases at the time of their execution, and now availed himself of the existence of a legal flaw to set them aside and obtain higher rents. This assertion of Rush's was grossly false. It is well known, to all acquainted with the parties, that the Rev. G. Preston never, in the slightest particular, consulted his son on any matter of business, even where his direct personal interest was greater than his own. The leases were prepared by a highly respectable solicitor, at North Walsham, who had never before been employed by Mr. Preston. From the omission of an important clause, there was no reciprocity in the contract, consequently it was bad in law. Rush states that during the seventeen months previous to this transaction, he expended on 683 acres of arable and pasture land, which he then held under Mr. Jermy, no less a sum than £3,085. We think it right, however, to remark, that the successive verdicts obtained against Rush for breach of covenants, afford sufficient proof that the outlay on the farms he occupied was made exclusively with a view to his own benefit, and with little regard to the claims of justice, or to the condition in which they should be left at the expiration of his term.

Soon after Mr. Jermy came into possession of the property, he appears to have decided upon pulling down the Stanfield-hall premises, instead of which he was induced to sell them to Rush for the very small sum of £1,000; which circumstance is the more remarkable, as Rush further states, that the late Rev. George Preston had recently expended a large sum on improvements, and that he (Rush) bought it with the understanding that he should be at liberty either to pull down the Hall at once, or at any other time during the term of his lease. Mr. Jermy, however, seems to have expressed a desire to regain possession before two years had expired, and Rush, without much hesitation, complied with his request, and received back the £1,000 which he had paid for it, although he had sold the green-houses, hot-houses and out-buildings for £500 or £600. The following is Rush's own version of the story:—

"The present plaintiff, when he came into possession, took it into his head to pull the Hall and all the offices down, and offered them to several people for that purpose. I persuaded him all I could not to do so, but he would; and, after I found he was determined to do so, I bought the Hall, with the offices, with the understanding that I could have pulled them all down immediately, or have the whole of my term to do so. In less than two years he altered his mind, and I let him have the Hall as it is now standing, with the coach-house and stable, back again for the same as I gave him, which was only £1,000; at the very time he took them they were worth to him at least £6,000; yet, for all this, you see how I have been treated."

In 1838, Rush purchased an estate near Stanfield-hall, called Potash-farm, which had been offered for sale by Mr. Calver, the proprietor. Of this transaction, since

should have been complete master of what I had in hand, and also have an increasing business as an auctioneer, which no one had a better opportunity than I had, and no one ever had the practice I had for the time I was in it; but engaging in so much business, and laying myself bare of money, and not keeping my payments up as I ought, was the ruin of me, as well as of hundreds of others similarly situated."

many conflicting accounts have been published, we shall give our readers two versions, and leave them to decide which is the most like truth. The following statement is given on the authority of Sir Thomas Beevor, Bart. :—

“Sir Thomas, some years since, disposed of Potash-farm to a party who subsequently put it up for sale. Mr. Rush, who then occupied Stanfield-farm, knowing Mr. Isaac Jermy was anxious to possess the property, consulted with him on the propriety of purchasing it. Mr. Jermy, knowing Mr. Rush’s experience in farming property, solicited his opinion as to the fair value of the farm. Rush considered that it would fetch £3,500, but the property offering advantages to the Stanfield estate, he advised him not to withdraw in the purchase, even to the extent of another £100. Mr. Jermy left Rush to effect the purchase of it, and he obtained it at the sum of £3,750. Returning to Mr. Jermy, he communicated the result, adding that the price exceeded by £150 that which Mr. Jermy had instructed him to offer. He had bought the farm in his own name, and intended keeping to the bargain. Mr. Jermy was rather mortified at this proceeding; an alteration took place; and, shortly afterwards, Rush came to Mr. Jermy, and solicited him to advance the amount as a mortgage on the farm. It was granted.”

The following is Rush’s own statement, contained in a letter which he addressed to the editor of the *Norfolk News*, on the 24th of March last :—“*I farmed that farm as tenant before I bought it, and that was how I came to hear of its being for sale. I applied for the offer, and got the lowest price Mr. Calver would take for it. I told Mr. Jermy of it, and advised him very much to buy it, but he would not take my advice, and, to convince him it was worth the money, I got Mr. Millard, the land-agent, to look it over, and persuaded him to buy it. He did look it over, but would not advise Mr. Jermy to give the money for it, by £150 of what Mr. Calver told me he would have for it, if he sold it; and, as I found Mr. Jermy would not buy it, I told him, if he would let me have £3,500 at 4 per cent., for eight years, I would buy it myself; he agreed to do so, and I bought it.*” Rush subsequently obtained various sums of money from Mr. Jermy on the estate, amounting to £5,000.

Mr. John Rush, the father-in-law of the convict, died at Felmingham, in 1844, under circumstances which, at the time, excited some suspicion. He was stated to have been killed by the accidental discharge of his own gun; and was found lying on the floor, with a gunshot-wound behind his ear, and the gun lying by his side. The unfortunate man was, at the time, in his keeping-room, between the kitchen and the dining-room, and Rush had gone, as he stated, into the dining-room to change his boots, when he heard the report; so that the old gentleman appeared to have been alone, and no one else but Rush on the ground-floor. The ground of suspicion was, the peculiar situation of the wound, and the fact that Mr. Rush was well known to have been averse to sport, and afraid of a gun, loaded or unloaded.

In November, 1845, a domestic calamity occurred, which, to his large and rising family, has indeed proved an irreparable loss—his wife, the mother of nine children, after a somewhat lingering illness, died, as we have reason to believe, in firm and cheerful reliance on the death and atonement of Christ Jesus. Whatever may have been Rush’s real views and feelings at this time, he appeared, to those who visited the dying-bed, to sympathise and rejoice in her well-founded hope, whilst he mourned over the loss which himself and his family were called on to sustain.

At the death of his wife, Mr. Rush engaged a respectable middle-aged person as housekeeper, who lived in the family; he also put an advertisement into the *Times* newspaper for a lady to take the educational charge of his rising family. The applicants for this situation were met, by appointment, at some respectable house in London; and, as the representations of Rush, his manners, and general appearance, excited no suspicions, he found it not difficult to secure his object. Four educated young women in succession undertook the proposed charge, of whom Emily Sandford was the last, and not the only one, who fell a victim to the treachery of this unprincipled seducer.

In Michaelmas term of 1835, an action was brought against Rush, at the suit of a female named Dank, who sued in *forma pauperis*, for breach of promise of marriage, having become *enceinte*, and compelled to seek shelter in a workhouse, in consequence of Rush positively refusing to afford her any assistance. The action was tried at the Norfolk Assizes, after Hilary term, 1839, when a verdict was returned for the poor girl, and the costs were taxed at £26. 2s. 3d. This illicit intercourse must have taken place during the life-time of the convict’s wife. Another instance of his infamy is mentioned in the *Brighton Herald*. Rush introduced himself into the house of a respectable family, residing near that fashionable watering-place, and proffered marriage to one of the daughters. Fortunately, however, inquiries laid bare his character, and frustrated his diabolical designs.

The circumstances which we know led to Emily Sandford’s residence in this family were these :—Mr. Sandford, who had lost his property by speculating in railroad shares,

at that time resided at Kensington, having a family of ten children, the elder member of which had received a liberal education. Mrs. Sandford replied to the advertisements which Rush had inserted in the *Times* as before, and called with her daughter at a house on Notting-hill, appointed by Rush as the place of meeting. The account given of the situation proving satisfactory,—the general bearing of Rush being that of a plain, honest, Norfolk farmer,—the unsuspecting mother consented to her daughter's undertaking the proposed charge at once. It was not long before some pretext was found for discharging the worthy housekeeper, and a successor was provided, who, however, stayed a very short time; and Rush, thus released from the check which the presence of the matron in the family supplied, successfully carried out his design, to ensnare and seduce the educator of his children. Correspondence between Emily Sandford and her family was intercepted, and various schemes were resorted to, in order to keep them in ignorance of the disgraceful proceedings which began to attract the notice and indignation of Rush's family circle.

In January, 1848, lodgings were taken at Mylne-street, London, for the fallen woman, and she was induced to confirm the statements made by her seducer, that she had been married to a Mr. James, and was about to travel with him into France, after her expected *accouchement*, which shortly took place.

Rush, who had represented himself to be Emily Sandford's uncle, had secured apartments under the same roof, and paid frequent visits there, spending his evenings at some place of public amusement—the Grecian Saloon, or the Angel Inn; and, as might be expected under these circumstances, he soon became involved—high rents, bad farming seasons, heavy law expenses, and hail-storm losses,* were not the only causes of this embarrassment; his vicious propensities, which had gained strength by habitual indulgence, had obtained the mastery over him, and he was no longer the enterprising and industrious farmer, or the economical and prudent man.

It was during this partial residence in London that he conceived the design of assisting the Larners and Thomas Jermy, whom he represented as the rightful owners of the Stanfield-hall property.† To gain possession, sundry documents were engrossed for him by Emily Sandford, and signed by her as witness, after the signature of Mr. Jermy had been affixed by Rush—there seems little doubt that the death of Emily Sandford must have been contemplated as a part of this diabolical plan.

Previously to these transactions, Rush had disposed of the elder members of his home circle; his son was married, four boys were sent to be educated in France, and the two girls to a school in London. In the midst of his pecuniary embarrassments, another rent became due, and, to meet these claims, Rush seems to have proceeded, with great rapidity, to turn everything into money; and the fear was excited lest he should entirely strip the farms, that sufficient property should not be left on it to secure the landlord on the 11th of October. Mr. Jermy, who was then at Yarmouth, received information to this effect, and in consequence, he paid a hasty visit to Stanfield-farm, with a warrant of distress in his pocket. On his arrival, he found the thrashing machines, &c., all at work, to prepare for market the produce of the last harvest. A number of

* In his trial for breach of covenants, in 1848, he says, "Ever since 1838, I have always been in debt, and particularly after the hail-storm; although the committee acted very liberally to me, there is no knowing how I suffered: I had not the least idea of it myself, at first; but I have no hesitation in saying, that I could easily prove to any one, I lost at least £1700 by that dreadful storm."

† In reference to Mr. Jermy's claim to the Stanfield property, Rush thus writes in the pamphlet he published in 1848:—"This fellow, Jermy, has no right to this Stanfield property; he knows it, and he knows I know it as well; his whole conduct in keeping possession and taking the name of Jermy, and his behaviour to those poor people who have a right to it, has been most villanous, and disgraceful to any man who can have any pretension to respectability, and which I should be most happy to prove when called on to do so; all of which would probably never have been brought to light, if this fellow had only acted with common honesty, for I should not have taken the trouble to have gone over the multiplicity of papers that has been put into my hands on the subject; but I have now done so, and in concluding the account of the trial, will follow a case drawn up so as to show who is the real owner of the Stanfield estate, and the means this fellow has taken to keep the real owner out of possession. Why I have published it is, that some one who has money may come forward and see that justice may be done to this Mr. Jermy, who is the owner, and who is kept out of possession for want of the means to employ counsel, and to have the matter brought to trial. I have got lots of other documents that could be referred to, and perhaps some of them are of more importance than those mentioned in the case, as I am not lawyer enough to know this; but I am quite sure that the case, as I have got it out, is a good one, without any other, and I do hope some one will come forward and oust this fellow, who has not half so much right to the property as I have, much more the right heir, if it was properly brought forward."

bullocks had been sold, and large quantities of wheat had been transmitted to London, and a considerable quantity of the latter had been seized at the railroad terminus by Messrs. Harveys and Hudson, who had been Rush's bankers, and with whom he was also in arrears. Mr. Jermy, however, was at this time unacquainted with these proceedings, and finding on his visit 250 fine pigs, several score of sheep, and more than a hundred bullocks, as well as the machines well furnished with horses, his suspicions were easily set to rest, as there appeared to be so ample a security for the rent. He therefore returned to his family at Yarmouth, with the warrants of distress unexecuted in his pocket. A few days after, fresh rumours reaching him, Mr. Jermy contrived to carry it through. Mr. Jermy having no other redress, at once put a distress upon the Stanfield and Potash farms, the latter then being in the occupation of Rush's mother, who stated that she had paid her son £989, being the amount of valuation, and had, thereupon, taken possession. Mr. Jermy's next step was to commence an action against Rush for breach of covenant; his bankers also proceeded against him, and, at the close of the year, he convened a meeting of his creditors, and offered them a composition of 12s. 6d. in the pound.

After much investigation, it was generally believed that Rush had transferred the greater part of his property to his mother, who had put in a claim for £1,700 upon the estate, and, being anxious to avoid litigation with a man of such character, the creditors, with one exception, agreed to accept the proposed composition. Mr. George Salter, of Attleborough, who had sold him some stock only a few weeks previous to these transactions, refused to accede to the offered terms, especially as he believed the petitioner had the means of paying his debts in full. In consequence of this refusal, Rush was made a bankrupt on his own petition; his examination had been twice adjourned on Mr. Salter's opposition, and, as it was alleged, the indirect influence of the late Recorder; the latter was reproved by Mr. Commissioner Fane, for showing too much temper in the witness-box, and his Honour expressed an opinion that there was more in the opposition, which had been persevered in, than met the eye. The *gravamen* of the charge against Rush was the concealment of books, but it was not made out to the satisfaction of the court: and the Commissioner granted Rush his certificate forthwith, with an intimation that he believed the bankrupt to be an honest man, and, had he shown less temper, his affairs would have been more speedily adjusted. During the proceedings in bankruptcy, at first Rush exhibited an obstinate and intemperate feeling, but at the subsequent meetings he was calm, although at times much confused in his demeanour while undergoing examination.

Although we have deemed it best to give insertion to the observations of Mr. Commissioner Fane, it is due to Mr. Salter to say that the universal feeling out of court was, that the leaning of these observations was too favourable to Rush, whose conduct to Mr. Salter in the matter before the court was flagrantly unjust. We believe Mr. Salter acted in his opposition solely on commercial principles—rightly deeming that a man in a state of hopeless insolvency had no right to become a large purchaser at an auction, and that a debt so incurred ought to be treated as a fraud.

Deeds of darkness so daring and so brutal as those perpetrated by Rush at Stanfield Hall, were not accomplished without much previous practice in crime; and there is reason to suspect that it was not the first or the second time that his hands had been embued in blood. At the time of his bankruptcy, a very suspicious-looking claim was put in by Rush on behalf of his mother for £1,700, and the examination before the court was adjourned, that she might be brought up in reference to this claim. She was to have been examined on Thursday. On the previous Monday, however, she was found dead in her bed. Rumours were audible in many quarters that there had been foul play; and those who were too charitable to think Rush a murderer, deemed it passing strange that she should have died at such a juncture.

By his mother's will, Rush was made trustee of her property, on behalf of his children, who were to take their shares as they respectively became of age. He proved this will in Doctors' Commons, having been accompanied on the occasion of taking out the probate by the solicitor who had prepared the will. He shortly after found, or pretended to find, a codicil, the effect of which was to postpone payment of all legacies till the youngest attained the age of 21, and thus to leave himself in lengthened and absolute control. He obtained the probate, but was not on this occasion accompanied by his solicitor; and the family were ignorant of the codicil, which was found at Felmingham after his apprehension.

One of the blackest chapters in Rush's history has reference to his treatment of Mrs. Sims, his wife's sister. She first married Mr. Plane, by whom she had two children; and after his death became the wife of Mr. Sims, of Itringham, by whom she had three children. Left with this heavy and responsible charge, she was persuaded by her brothers, Mr. George and Mr. Henry Soame, to continue the occupation of the farm at Itringham (under the Earl of Orford), of which they kindly took the management. Here she was prospering and happy, and might have done well for herself and children, but for the magical influence which Rush acquired over her. He gradually insinuated himself into her confidence, and superseded her brothers in the conduct of the farm, and next succeeded in tempting her away from

Itteringham; first to Sall, where he engaged a farm for her under Mr. Bulwer, and subsequently to Stanfield Hall, which mansion he had just purchased of Mr. Jermy. Rush managed to possess himself of all her property, and afterwards removed her to Potash, where she soon died of a broken heart.

The action brought against Rush by Mr. Jermy, for breach of covenant, was tried at the Norwich Assizes, March, 1848, the damages having been laid at £2,000. Amongst other charges, Rush was said to have abandoned the lease in 1847, which, however, did not expire till 1848, and to have disregarded the rotation of crops specified in his covenants. The defendant conducted his own cause, and the result of the trial was a verdict for the plaintiff, of £420 damages, with costs. Of this trial Rush has published a report, entitled "A Report of and Comments on the trial at the Norwich Assizes, March, 1848, for breaches of covenants said to have been committed by J. B. Rush, on the Stanfield-hall Farm, under Isaac Jermy, Esq., Recorder of Norwich, and a case 'Jermy v. Jermy,' as to who is the right owner of the Stanfield Hall and Felmingham Estates."

This pamphlet consists of forty-six closely-printed pages, abounding in abusive language towards the late Recorder, and affording strong evidence of the bitter enmity towards him which existed in the heart of Rush. The following extracts will sufficiently show the *animus* of this pamphlet:—

"Let any one look at the above, and then consider the baseness and villany in bringing an action against me under such circumstances. * * * * *

Such conduct was never heard of, not even in Ireland; and I am determined it shall be known, for the sake of my sons and other young people who may be led away by such rascals, and embark all their property on other people's lands."

At Michaelmas, 1848, Rush's lease of Felmingham-farm expired, for it had continued in his occupation during the time of the trial for breach of covenants at Stanfield, and on the 11th of October following, a year's rent became due, which not having been paid by the 13th, a distress was levied. This was resisted by Rush, who stated that his mother was the tenant, and had paid, upon compulsion, *two* rents the previous year. It is said that on one occasion he threatened to shoot the officer, Martin, who was put in charge. Ultimately, however, the rent, with costs, was paid to Mr. Butcher, of Norwich, on behalf of Mr. Jermy, and Rush continued to remain at Felmingham, though under notice to quit.

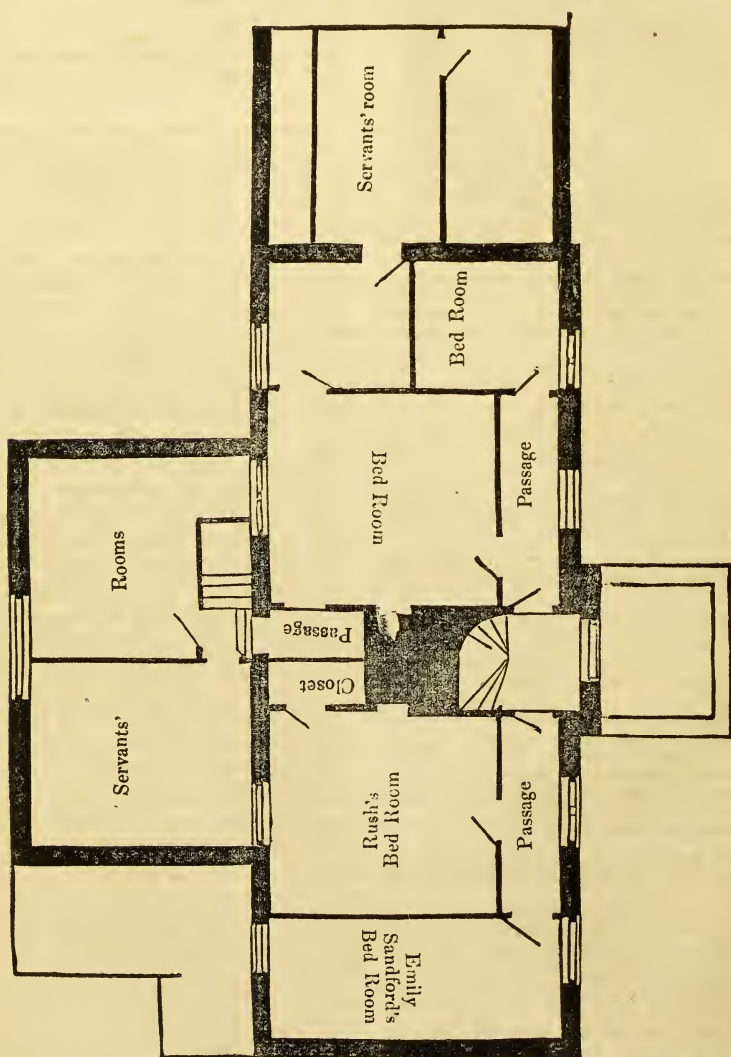
There still remained, however, the heavy mortgage on the Potash estate, which became due on the 30th of November, only two days after the fatal tragedy at Stanfield-hall. For the purpose of postponing the payment of this mortgage, it is known that Rush had frequent interviews with Mr. Jermy, the last being on the Sabbath-day immediately preceding the murder. Rush states that it lasted but for a few minutes, and there is reason to believe that he left without gaining his point, and with feelings of unmitigated hatred. What connection there was between this interview and the cold-blooded atrocities which so soon followed it, has never yet transpired, and never will, till that day when "that which is spoken of in the ear in closets, shall be proclaimed on the housetops."

We feel disposed to believe that there were seasons in this extraordinary man's history, when conscience *would* be heard—for years he is known to have attended, with some regularity, at his parish church, and occasionally at other places of worship. He often appeared to listen with attention, and displayed deep emotion. The Scriptures were also read at his express desire in the family, and he was no stranger to the *form* of prayer; whether he looked upon the performance of these duties as some slight atonement for his guilt, and thus hoped to quiet his burdened conscience—whether he continued to maintain the forms of religion from habit, after he had lost all sense of its power, or whether he hoped the more seemingly to cloak the guilty purposes of his heart by hypocritical observances, we need not decide. One thing, however, is certain, had he in early life made the word of God his study, and followed the sacred precepts therein contained, his course through life might have been a happy and prosperous one, and his death-bed a scene of joy and triumph.

The entire history of this man is most instructive and admonitory. Sensuality, selfishness, and ungodliness, appear to have been his prominent characteristics. He seems to have put no restraint upon his passions, but indulged them to an excess which brutalised and debased his whole nature. Neither reason nor divine revelation were at length his guide. His conscience, seared and defiled by sin, rendered him unscrupulous as to the means by which he accomplished his designs; and when seduction, forgery, and murder seemed needful to his success, he committed them cautiously, coolly, and determinately.

That which renders his case the most horrible is, that it is the course of a man who, while he was practising falsehood and fraud, and wallowing in sensuality, made a profession of religion, by attending church, by reading the Scriptures, and by prayer in his family, but who rendered his very devotions subservient to his lusts, and referred to the crimes condemned in Scripture as an apology and justification for his own.

Sleeping Rooms of Potash Farm.



STANFIELD HALL MURDERS.

TRIAL OF J. B. RUSH.

This case came on for trial at the Spring Assizes, which commenced in Norwich on Monday, March 16th, 1849.

On Wednesday afternoon, at three o'clock, while Baron Rolfe was engaged in the despatch of the business of the Crown Court, the Grand Jury found bills against *James Blomfield Rush*, of Potash Farm, near Wymondham, for the murder of the late Isaac Jermy, Esq., of Stanfield Hall, Recorder of this city, and his son, Isaac Jermy Jermy, Esq. Very early in the following morning, considerable crowds of persons had assembled around the entrances to the church, and strong forces of policemen were required to repress the eagerness of the people. No description can possibly convey an adequate idea of the scene which presented itself, as the time approached for the prisoner being brought up for trial. In the court, however, every thing was quiet. Mr. Pinson, the keeper of the castle, had very considerably effected some important arrangements for the accommodation of the press and the bar; and by the direction of the Sheriff, all the magistrates and visitors were admitted by ticket. The reporters engaged for the various local and metropolitan journals numbered about thirty, who were at intervals relieved by fresh supplies.

At five minutes before nine o'clock, Baron Rolfe entered the court, and the prisoner was immediately after placed in a dock constructed for the purpose. He appeared very dejected, and exceedingly nervous. On the indictment being read to him, and his plea being requested, he repeated the words, "Not Guilty," with firm and loud voice.

Mr. Sergeant Byles, Mr. Prendergast, and Mr. Evans, conducted the prosecution; the prisoner was not defended by counsel.

The following gentlemen were sworn on the jury, the prisoner being requested to make objection if he thought fit:—

ROBERT BARBER, of Ellingham, farmer, *foreman*
Henry Browne, of Thurne, farmer
John Butcher, of Walpole St. Andrew's, shopkeeper
Thomas Bunting, of Thurning, farmer
Thomas Cowling of West Walpole, farmer
James Cracknell, of Hilborough, farmer
William Fuller, of Framingham, farmer
John Gray, of Leziate, farmer
Arthur Goodchild, Shelfanger, farmer
John Hilton, of Strumpshaw, blacksmith
George Humfrey, of Filby, carpenter
Charles Harvey, of Hilborough

Amongst the gentlemen who had entered the jury box was a Mr. John Field, whom the Clerk of the court requested to retire.

The prisoner inquired the reason, when he was informed that the Crown had challenged him. Mr. Rush then intimated to the jury the fact that he knew nothing of them, and consequently could not challenge them; he expressed a hope, however, that if any of them should feel that they could not give him an unprejudiced trial, they would retire of their own accord.

The prisoner then addressed himself to the learned Judge, and asked if he might be allowed to make a few observations.

His lordship replied in the negative; but Rush proceeded to say—"Because the evidence has been got up in such an extraordinary way, that I could—

His lordship—That is a matter for observation when the evidence is produced; I cannot hear it now.

Mr. SERGEANT BYLES opened the case for the prosecution in a luminous speech, in which he laid before the court the details of the murder and the evidence by which it was proposed to identify the prisoner with these transactions. It would be utterly impossible to give within the limits to which we propose to confine ourselves, the opening address of counsel and the summing up of the Judge; and deeming the latter far more important, we have displaced the learned sergeant's address in order to make room for it.

Rush now applied for the witnesses for the prosecution to be sent out of Court—more especially Mr. Cann, the solicitor.

His lordship, however, objected, inasmuch as Mr. Cann was a solicitor for the prosecution; and advised that Mr. Cann should be the first of the witnesses examined. It was, however, decided that it was necessary first to prove the accuracy of the models and plans, and the architect was accordingly put into the box.

Robert Kerr, Architect, and James Drane, Surveyor, having been examined as to the correctness of the plans and models,

Mr. John Stephenson Cann, solicitor, of Wymondham, was then examined. He deposed, that on the 2nd of December, he went to Potash farm, with superintendents Witherford and Hubbersty. He went into the parlour, and entered a closet there. A board in the floor was removed by Witherford in witness' presence. Witness then took a box from under the boards.

(It was now discovered by Rush that Witherford was in the Court, and he denounced this as infamous.) —Witherford immediately withdrew.

Examination of Mr. Cann continued—He unlocked the box the following day, after getting a key made. He found a number of documents, one of which was an agreement dated the 10th of October, 1848, which he now produced—it was marked A; another dated the same day was marked C. Another was dated the 28th of November, 1848, and marked B. There was also one dated the 3rd of October, 1848, it was marked D. Witness produced a document also marked E, found afterwards at the prisoner's house at Felmingham, on the 5th of February. It was in a carpet bag, in an iron chest. He also found at Felmingham a draught of a letter dated the 19th of April, in the prisoner's hand writing. It was either in a locked up closet or in the carpet bag. There was also at Potash, a notice dated the 12th of October, 1848, signed "Thomas Jermy;" a notice dated the 19th of May, 1848; a letter dated the 14th of October, 1848, addressed to the prisoner; a letter dated the 19th of September, 1848, from Read, to the prisoner; a notice dated the 23rd of October, 1848; and two notices signed by the prisoner, dated October, 1848, (one without a date, the other dated the 26th.) Witness found a letter also of the 30th of September, 1848, from Read to the prisoner.

By the prisoner—I think we examined Mrs. Jermy, Watson, and the girl Chestney only, on the day after the murder. I do not know of any one else having taken any depositions of Watson's, but I saw some notes taken of his evidence before that; I saw them shortly before you came in; I had taken some down myself before you entered, but it was all taken again in your presence. The notes I speak of were, I suppose, in my possession when Watson was being examined before you. I believe they were lying on the table, but I was not using them in any way. A portion of Watson's evidence was taken at one o'clock. I

do not know where you were at the time. I cannot say whether I had then seen Pont, the police-officer. I took down nothing that day from Miss Sandford, (or Mrs. James.) I saw her that day at the hall, in the room you had been in. Mr. Wilson was there. I took none of her evidence down that day, and do not know that any one else did. She was in the room about 10 minutes or a quarter of an hour—that's the outside. I had not seen her in the course of that day before she came to the room. I did not, on the 29th, hear of any evidence as to what she had to say about the occurrences of the previous evening. Watson was examined before you some time in the afternoon, but I cannot say whether it commenced before or after candle-light. I should think it was at least 10 o'clock at night when I first saw Emily Sandford at the hall, directly after you had left. I left between 11 and 12, about an hour, I should think, after she left. I was at the hall, on the night of the murder, between nine and ten. Nothing was taken down in writing that night. I was not in the brown parlour. I left the hall before twelve o'clock. I heard Watson describe the man he saw that night in the hall. I do not know that he gave a particular description, but he said he believed you were the man. I think this was in his pantry, between ten and eleven o'clock. I do not remember that he gave, in my hearing, a description of the man's dress that night. I returned about four o'clock in the morning, with Sir Thomas Beever. I was in the room part of the time, while my father examined Miss Sandford, on Friday, 1st December, about the papers. This was at Wymondham bridewell. There were no questions asked about the papers—it was her own statement. She then said she had written some papers for you. I was not in the room when she first went in. I did not see her till half-past seven or eight. I took nothing down that night; I think, however, that my father did, but I did not see him that I remember, although I will not swear it. I believe Miss Sandford was there from two to three hours, but I was not present all the time. Altogether, perhaps, I was present about two hours. Hubbersty, the police officer, and Witherford, were also in the room. I believe I was present when she left, but I heard nothing read over to her, nor did I see her put her signature to any paper. I have seen no document with her signature affixed on that date, except the examination, which, I believe, had been taken before you in the morning. I heard, just before she came on the Friday, that she was going to be examined that evening. I cannot say by whose orders she was sent for to the magistrates' room at the bridewell. The bridewell is three miles from Potash. What I heard that evening was conversation; she was not on oath I believe, but I was not present when she entered. I heard she had been questioned the same day at Potash, by the police officers. I did not know before she came to the Bridewell what she was going to be examined about. You were in the bridewell at the time. I remember coming to speak to you with Mr. Waugh, a solicitor from London, on that day. I had not then heard of any fresh evidence she had to give, different to what she had given. I was not present I believe on the Thursday when she finished her first examination. I cannot say whether Mr. Wilson, the magistrate, made any observation to her, before she signed her first depositions. I was not acting as your solicitor. You said to me something about objecting to your papers being pulled about by police officers generally. Nothing was said to me by you respecting sending a note to Miss Sandford, at her residence. I promised you that the locks and papers should not be interfered with except by people in authority. You said you had no objection to me or my father taking them. I believe I said if any papers were taken at that time, you should have an inventory. Mr. Waugh applied to me for an order to see you, and I said he must apply to the magistrates. I had no idea that you expected I was acting as your solicitor. (Mr. Cann, to the Court, explained that Rush on going to the gaol, said he should leave it to him, but he refused to act for him, as he could not do so, holding the position which he did, as clerk to the magistrates.)

The Learned Judge here told Rush that his examinations seemed quite irrelevant; he did not, however, wish to be strict.

Mr. Cann's cross-examination continued—Mr. Waugh did not tell me that I was acting as your solicitor, but that *he* was; and Mr. Waugh obtained an order to visit you in that capacity. I never told Mr. Waugh that I was about to visit you. (Several questions were here asked by the prisoner, which the learned judge said he could not think of taking a note of.) Mr. Waugh never told you in my presence that I could not be in better hands, than with you as my solicitor? Mr. Waugh advised you to have a solicitor. He said "You have been a fool once," (alluding to this time twelve-month,) but said there was plenty of time to think of a solicitor between then and March. I waited and spoke with you after Mr. Waugh left the room, on the Friday. You gave me your watch and chain. You did not tell me that you had no money, and I did not receive it as security for any costs that might become due. The next time that Miss Sandford was examined about the papers after the 1st of December, was, I believe on the 13th or 14th. I had, however, I believe, shewn her the papers after I found them, but I am not certain. I cannot even swear that I saw her between those dates, though I believe I did. I cannot say how often I have had conversations with Mr. Clarke, of Wymondham, solicitor, respecting the copies of agreements. I cannot say how often he has seen them; I don't know that he has seen them more than once. They have never been in his possession. Neither my brother nor any one else has had the opportunity of inspecting them while I have been absent. When Miss Sandford was examined by you on the 13th and 14th of December, and by the magistrates on the 5th of January, I did not sit between you and Miss Sandford in order that you might not see her, nor she you. You were very violent several times and said you wished to move your chair. (Mr. Cann to the Court)—he was very violent and shifted his chair about. He could not see the whole of her face. In fact, when he was so violent, she was terrified and fainted, and the surgeon said the examination must not continue. She was not in good health.

Prisoner—I ask you, if you of your own knowledge do not know that we were so placed that we might not see each other.

Witness—I believe the object of the magistrates was to protect the witness.

Prisoner—That will do. Did not you hear me complain of not being allowed a solicitor?

Witness—Not till after you were fully committed, but on the 5th of January I think you did.

Prisoner—When was it that it was mentioned to Mr. Pinson that you were not acting for me as solicitor?

Witness—On the 4th of December, I think, and I said the sooner you were undeceived the better—if you thought so.

Prisoner—Did not the magistrates refuse to allow me to put the questions myself to Miss Sandford?

Witness—Sometimes, after your conduct had been violent.

His Lordship—If the magistrates did anything illegal in that respect, and the depositions were brought against you in evidence, then they would be useless; but you are now on your trial, and the depositions will most likely not be produced.

Prisoner—Did not I complain of your saying something to Miss Sandford?

Witness—I think once you thumped on the table.

Prisoner—You are a young man, and I do not know what to think of you. Did I not also call out to Mrs. Bryant to leave off talking to her?

Witness—I believe you did.

Prisoner—Is not that the time the magistrates called me to order?

Witness—They had to do so many times; and I believe, that neither mine nor Mrs. Bryant's speaking had anything to do with it.

Prisoner—That was enough to make any body violent! Good God of heaven and earth, if I am to

be interrupted when I am examining an important witness, by people of that sort telling the witness they were saying wrong—

Judge—I have myself felt inclined to stop you several times.

Prisoner—Do you remember how long Emily Sandford was examined on the 12th of December?

Witness—I cannot say, I took no depositions from her, except in your presence. She was examined only about half an hour or so.

Prisoner—Are the applications I made to the magistrates for my papers and other documents which I required in my defence, in your possession?

Witness—Yes.

Prisoner—Will you produce them?

They were then produced by Mr. Cann.

Prisoner—What papers that I there requested for my defence have been given me?

Witness—Your solicitor has had copies of all he wished to take. He has seen every paper, and gone through them.

Prisoner—I asked then particularly for all letters from you to me, and copies of my letters to you. They have not been produced.

Witness—I found but one letter, and that has been copied.

Prisoner—What business have you done for me and my mother these last few years?

Witness—I have prepared a case for you, and attended you on one meeting with Mr. Jermy, as your attorney.

Prisoner—Have you not also paid legacy duty?

Witness—I have received the money, but have not paid it. I hold the money still.

Prisoner—You gave a memorandum for it, but that money has not been given up.

Witness—I have not seen it.

Prisoner—How long is it since you received the money?

Witness—Perhaps two years.

Prisoner—And not paid yet?

Witness—And not paid yet.

Prisoner—I ask you what letters you have kept back or burned, that you knew would be of use to me for my defence?

Witness—None, they were all sealed by your laughter, by me, and by Colonel Oakes, and not broken open till before the magistrates.

Prisoner—Why was not the carpet bag sealed?

Witness—It was locked.

Prisoner—Were there not some title deeds?

Witness—Yes, and there they are yet.

Prisoner—Was there not a meeting at Wymondham on the 21st November, at which young Mr. Jermy should have attended?

Witness—Yes, I remember one day he sent word that he could not attend. He usually attended the meetings. They were fixed at 11 o'clock.

Prisoner—Where did you take the papers from and carry into the parlour, at Potash?

Witness—I did not take any, but I saw some on the table.

Prisoner—What was done to them when they were first taken into the parlour?

Witness—They were laid on the table, and I looked them over. This was before breakfast on Saturday, 2nd of December, they were brought into the room either by Hubbersty or Witherford.

Prisoner—Did you hear any observation about how long they were left about?

Witness—No, I locked them all up in the parlour.

Prisoner—Was there any inquiries made about a lock that had been on the bag?

Witness—No.

Prisoner—Had you seen any of those papers before?

Witness—Yes, I had seen the case which I prepared myself.

Prisoner—Were you in the closet when the board was taken up? Witness—Yes.

Prisoner—Where were the other papers then?

Witness—They had not been brought into the room.

Prisoner—Could any one get into the closet before you went that day?

Witness—Certainly not! the keys had been delivered to me on the Friday; Witherford was the person who laid them down then in my presence.

Prisoner—What papers were taken out from under the floor, beside those in the box?

Witness—A good many, they are all here. There were check books also, and a manuscript of a printed notice, with a note relative to your bankruptcy.

Prisoner—Were there any of the papers taken out of that closet before you saw Miss Sandford that morning?

Witness—Yes.

Prisoner—Were there any in her hand writing?

Witness—I cannot say.

Prisoner—Did you see any documents there that you considered of importance to this trial, except what were in the box?

Witness—I do not know what you call "of importance."

Prisoner—When did you first know that you were to be solicitor for the prosecution?

Witness—Seven or eight weeks since.

Prisoner—How often within the last fortnight have you been to hear what Miss Sandford had to say at the bridewell?

Witness—Three or four times, but she sent me a statement of her own accord, just before her confinement.

Re-examined by Counsel.—The two books produced I found in the closet at Potash, but not under the floor. I found no other book at all of the same description. The prisoner gave me his watch and chain, because he had a short time previously been to my office and told me to make out my account and he would give me some money. The amount due to me was sixteen or eighteen pounds. Although he had promised me money, he had not done so; and he said when he gave me the watch, "You may as well take this, as I owe you money."

Prisoner asked if it was regular for the counsel to get up and ask about what had not before been mentioned? Nothing had been said in re-examination about the watch, in the same way as in the cross-examination.

The Learned Judge replied that the cross-examination had in that respect been conducted fairly.

The prisoner asked his lordship to inquire when it was first mentioned that the watch was given for a previous debt. Witness: It was first mentioned at the castle.

JAMES WATSON deposed that he was footman in the service of the late Mr. Jermy, at Stanfield hall. He had lived there since May last. He knew the prisoner Rush, who was often at the hall, and used to enter by the side door. There was a bell to the door, but he used to come in without ringing; and he generally went into the servants' hall. Witness had also seen him in other rooms. Rush knew the house well (The model of the hall was now produced, and the position of the passages, rooms, stairs, &c., was explained by the witness and counsel. The usual dinner hour was six o'clock. Witness did not know, on the evening of the 28th of November, who left the dining-room first. Mr. Jermy, senior, was at that time living in the house, and young Mr. Jermy and his wife, and Miss Jermy, a daughter of Mr. Jermy, senior, whose age was about 14. There was a groom living in the house, and six female servants. The cook's name was Read; Chestney was housemaid. There was a lamp with a reflector on a table in the staircase hall, on the evening of the murders. There was also a lamp at the end of the long passage. There were in the dining-room two wax candles; but no light in the entrance hall. Besides a light in the staircase hall, there was a fire. After dinner Mr. Jermy frequently went out of the outer porch door for a short time. On the evening in question, witness was in his pantry, about a quarter past eight, when he heard a report at the front of the house, near the porch. The pantry window was near the porch. When he heard that report, he went out of the pantry a few feet to the spot where the two passages meet. Could then see the door leading into the staircase hall.

While there, witness saw a man coming from the direction of the side door. He passed witness, and was about three feet from him when he did so. While passing, the man moved his left elbow. Witness saw the man go to the staircase hall, and then observed the door open. Saw Mr. I. Jermy Jermy open it; he was coming from the staircase hall towards the passage. The man was then about three feet from the door. Witness saw the man then point a gun or pistol at young Mr. Jermy and fire it. Mr. I. Jermy Jermy immediately fell down backwards into the staircase hall, upon the mat. Witness returned back to the pantry, and, while there, heard a woman's footsteps running towards the lobby, from the servant's hall; she was screaming. Witness then heard two more discharges of fire-arms, very quick, one after another. Upon hearing those reports, witness went out of the pantry, towards the door of the staircase hall, and then saw Mrs. Jermy go towards the back staircase. She was running. Witness also saw Chestney lying in the lobby, opposite the staircase hall, and about two feet from the wall. On that wall there still existed the marks of the discharge of fire-arms. Chestney complained to witness, and he dragged her to the back staircase. Did not see the man again, and did not know which way he went out. The old gentleman was in the outside porch, dead, with his head towards the inside door. He found him there about half an hour after. Having procured the assistance of Mr. Gower and his two sons, witness searched for old Mr. Jermy, and found him lying on the mat, in the porch—he was then dead. The wound was on the left side. Witness saw the man, when inside, drop two papers in the long passage, and afterwards saw one picked up. They were like those produced. The man was low in stature, and stout. Witness could not see his face, as he had something over it. Could not see what it was, but there was light enough to see his gait, and general appearance. He believed it to be Mr. Rush.

Rush objected to the way in which the counsel put his question respecting the identity of the assassin; but his lordship said he thought it had been put very properly.

Rush:—Then I hope your lordship will not find fault with some of the questions which I shall put.

Examination of Watson continued.—He had a cloak on, long enough to cover his arms. Witness saw two weapons, but could not say what they were; it struck him at the time that they were large pistols.

Cross-examined by Prisoner.—He was putting the plate away when he heard the first report; he could not see out of the window of the pantry into the front, but he could, out of the window of the passage; did not look out of the passage window; after hearing the report he left the pantry immediately; had no plate in his hand when the first report was discharged, but might perhaps stay a few seconds before he left the pantry. The man, when witness saw him, was walking fast, but had not then turned the corner towards the lobby; he was, however, about to do so. Was five or six feet from the pantry door when he saw the man turning the corner. Witness did not remember if the cloak had a cape to it; did not pick up any paper that night, and did not see any servant do so. A few words were put to him in the brown parlour the same night, but very little of what he said was put down. Could only remember Captain Ives and his servant being there; there were some others; perhaps five or six. Could not remember who put the questions nor who wrote down the answers; in fact he did not know them. Did not remember if anything was said that night about the man's having something on his face. Remembered saying that first on the next day, in the presence of the prisoner. Witness saw Mr. Cann on the Wednesday, but did not remember what he said to him. Did not remember hearing any one say anything about a mask, before he gave the evidence before Rush. Did not see the man's legs, and had not been shewn any cloaks that had been taken from Potash before he was examined. Had never said that he saw the arms under the cloak. [Rush now put several questions relative to what the witness had said before the magistrates, but the Judge

informed the prisoner that if he went on in this way, he must put in the depositions, and then the learned counsel would have the last words, as he would be entitled to reply. Rush replied that he certainly should put them in, as he intended to use them in his defence.]

Watson's depositions both before the magistrates and coroner were then put in and read.

Cross-examination by the prisoner continued.—He did not see the man take the arm from his cloak when he shot young Jermy. He did not know that Mrs. Jermy was wounded when he saw her. He saw her going towards the back staircase. He did not know where Honor Holmes was at the time, or the other servants. He saw none of the maids after hearing the reports, except Blanchflower, the nursemaid. He was in the passage when she called for some hot water, and she was in the nursery. The window of the nursery looked into the stable yard. He saw her when he carried the hot water, but not before. He came down directly after he had carried the hot water. He did not see the man after he fired at Mr. Jermy and went into the staircase hall. He might be a minute or two leading Chestney into the hall on to the back staircase. He believed it was after he was at the foot of the staircase that he fetched the hot water. He did not remember seeing any one afterwards. He saw a curly wig at the coroner's inquest. It did not resemble the head of the man in the passage. He had said before that he did not know what the man had on his head. He did not remember to have told anybody that Chestney's description of the man's head was incorrect. It was about a quarter past eight when he heard the first report. He did not remember any one being there when old Mr. Jermy was found. A gig came up at the time, but he did not know who was in it. He knew it was about a quarter past eight when he heard the report. He spoke from his own knowledge, and not from the statement of any one else. He did not see Emily Sandford till the evening after the murder; she was then in the cook's pantry. He did not remember any one being with her. He did not see her in his pantry. He should have known it if she had been there any length of time. He did not remember speaking to her, nor did he recollect hearing her speak to anybody else. He did not remember seeing her since that day.—Prisoner: Remember, you are on your solemn oath. Will you swear before God that you have not seen her since that day?—Witness: I do not remember. I did not see the man's hands, and cannot say whether they were up or down. I saw the fire-arms; and it occurred to me that they were pistols. When the man fired with one arm I do not know where the other arm was. Mr. Jermy had told me that he would not see you, about five weeks before the murder. I do not know how often you came to the house between that time and the time of the murders. I know you came several times. I cannot swear that you had been more than four times. I recollect your being there the Sunday before. I do not think you could come without my seeing you. I do not know what servants were out of the hall at the time of the murder. Holmes, I believe, was at home. I do not know of any young men being with them at the time. I have not heard of any books being circulated in the neighbourhood about law transactions between Mr. Jermy and yourself. Mr. Jermy never said anything to me about it. I have never heard about your being turned out of a farm by Mr. Jermy. I do not recollect a man being dragged out of the fields and taken to the hall, and kept there till Mr. Jermy came home. I do not remember your being at the hall on the Tuesday before the murder.

By Mr. Sergeant Byles.—The night of the murder was very dark and windy. I do not know upon whom the wig was placed at the inquest.

The prisoner asked if he might comment upon the discrepancies between the witness's present statement and that on the depositions.

The Judge said he had an undoubted right to do so, though he laid himself open to the possibility of counter observations being made, and the similarity of the two statements being pointed out.

The witness ELIZA CHESTNEY was here brought into court on a small couch; the witness box was removed and the couch occupied its place. She had been brought on the previous day from Stanfield, on the shoulders of several men, and had been since staying at the house of Mrs. Watson, Castle Meadow. Witness looked pale and weak, but evinced no signs of tremulousness in giving her evidence. She was attended by Mr. Tunnaley and Mr. Nichols, who occasionally gave her medicine.—She said, my name is Eliza Chestney; I was house maid in Stanfield Hall in November last. On the 28th of November I was in the servants' hall about eight o'clock; I then heard a gun fired, which was followed by another discharge, and then a groan. I went into the passage which leads towards the stair case, when I met my mistress, Mrs. Jermy. She said, "Watson! Watson! Eliza! go to Mr. Jermy!" I took hold of her waist with my left hand, and taking hold of her hand with my right, I said "My dear mistress, good God what is the matter? For God's sake don't go." She did not speak, but looked wild. We went down the passage together. When I got as far as the doorway of the staircase hall, I saw Mr. Isaac Jermy Jermy lying on the floor; I saw a man seemingly coming from the dining room door. He had either a short gun or a pistol in his right hand up to his right shoulder; he levelled the instrument and shot me. I did not fall directly. Another shot followed directly after, when I saw my mistress' arm twirl in the air. My mistress then ran upstairs and left me. I twisted round several times and fell down. I gave three violent shrieks, and said "Now I am going to die, and no one will come to help me." I remembered no more till I awoke at the bottom of the staircase. I found myself seriously wounded in the leg, near the hip. I saw the head and shoulders of the man who shot me. The head was flat on the top and the hair was bushy at the sides; and he had wide shoulders. I formed an opinion at the time who the person was. I had no doubt upon the subject. I believed and still believe it to be that man (pointing to the prisoner.) I had seen him several times at Stanfield Hall, in the same passage. I did not observe anything about the man's dress. When I first saw him he was going towards the porch door; he was then side ways to me. He turned and saw me. When he shot me, he was about a yard from the dining room in the staircase hall. I was standing in the doorway, I saw the whole form of the head and shoulders, but not the face. I know no one having a similar appearance in the habit of coming to the hall but Rush.

Cross examined by the prisoner:—It was about eight o'clock when the shot was fired, or perhaps a little after. A few seconds, (perhaps ten or twelve) intervened between the two first reports. I do not remember to have said that one shot came *immediately* after the other.

At the prisoner's request, the depositions of this witness before the magistrates and coroner were then read.

Cross examination continued.—I might perhaps have said that one shot followed the other immediately, but I was in too much agony to remember distinctly. When I was in the servants' hall and heard the first and second report, Read, the cook, was with me. I do not know whether she got up when I did. The door leading into the passage from the servants' hall was then open. I might probably have heard any one in the passage, unless they were walking very light. I did not hear any one walking in the passage after the first report. When I heard the first report I sat quite still and said "How silly," from the supposition that it was the servants. I was sitting by the fire at the time, and did not get up before I heard the first report. I left Read with the other servants. I do not know how long the other servants had left the hall before I heard the first report. Holmes, Mary Clark, and Maria Leech were the servants who were absent at the time. After the murder, I saw these servants first when I was lying at the bottom of the stairs. Holmes was the first I saw. I saw the pistols first at the corner of the passage. After I saw the

man, it was not a second before he shot me. I saw but one hand used to fire the pistol. The last two reports followed each other instantly. It was the width of your shoulders and your height that made me think it was you. I do not remember having said that I did not know whether you had a cap or a hat on. I had not heard of Mr. Jermy's turning you out of the farm which Mr. Colman occupies. I have not heard of any books being circulated about legal matters between you and Mr. Jermy. At least I think I *once* heard something about them. I do not remember a parcel being sent to Mr. Jermy and being sent back again because the postage was not paid. I have never seen Emily Sandford. Mrs. Jermy passed me before I was wounded. I first saw the wig which Hubbersty produced about a week before my second depositions. I do not recollect your being at the hall on the Tuesday before the murder. I had seen you several times at the hall. I think I remember your calling once when Mr. Jermy would not speak to you.—By Mr. Prendergast:—I was in a very weak state, and in great agony on my first examination. There was a light in the dining room when the murder took place. It was at the back of the man.

MARGARET READ was next called. She said: In November last I was cook to Mr. I. Jermy, at Stanfield hall. I had lived there five months. On the evening of the 28th of November, Eliza Chestney and I were in the servants' hall, when I heard a report of a gun outside the house. This was half-past eight o'clock. Soon afterwards I heard another report, which was inside the house. Before Eliza Chestney left the hall, I heard a noise like the rustling of clothes, which appeared to come from the side door. After she left, I heard a third report, very soon after the second. I heard a scream of a female. I rushed to the servants' hall door, which opens into a long straight passage. I saw Miss Jermy running to the servants' hall, screaming, "Oh Read, we shall all be murdered." I then saw a man coming down the passage, about seven yards behind Miss Jermy. He had a fire-arm in his right hand. I do not know whether it was a gun or a pistol; it appeared to me larger than a usual sized pistol. He had on a coat or cloak, which appeared to have a cape. It was a low stout man. I had seen Rush at the hall repeatedly. The head, and size, and carriage of the man, were like those of Rush. As soon as I saw him, my impression was that it was Rush, and that is my impression still. Miss Jermy and I ran into the stable, out of the servants' hall.—By Rush: I saw Emily Sandford the day after the murder. I had no conversation with her. I only heard her ask for a glass of water, which was brought to her. I saw her in the cook's pantry.—The prisoner: Recollect, God Almighty hears what you are saying. Did you or did you not see her in the butler's pantry?—Witness: I did not. I think I saw her in the morning. She was several hours in my pantry, but I did not stay with her more than a minute. No one was with her when I saw her. I went in several times to the pantry, but only spoke to her when she asked me for the water. I did not tell her the evidence I was to give, nor did I hear any thing she had to say. I saw her yesterday going before the grand jury. I do not remember having seen her since the day after the murder, except yesterday. There was sufficient time to go from the porch to where Mr. Jermy was shot between the first and second report. I made that statement before the magistrates.

This witness's depositions before the magistrates and coroner were read at length, at the request of the prisoner, who complained of the discrepancy between them and her present statement, which he said he should comment upon at a future stage of the proceedings.

Cross-examination continued.—Prisoner: Why did you not say before the coroner, as well as before the magistrates, that there was time between the first and second shot for any one to go from the porch to the place where Mr. Jermy was shot? Witness: I don't know.—Prisoner: Did anybody tell you to say so? Witness: No, no one; I knew it myself.—Prisoner.

Do you know the meaning of the word "intervene?" Witness: I do not; if you will explain it I shall know next time.—The Judge: Pray do not flippant in your conduct.—Prisoner (to witness): You should not use words then that you do not understand. [This word, "intervene," was in the witness's depositions.] Witness continued: It is about six yards from the foot of the back staircase to the side of the passage. I saw no one else in the passage but Miss Jermy. The man was about two yards past the foot of the staircase when I lost sight of him. I do not remember any one asking me about the murder before my examinations. I will not state positively that no one asked me. I was not guided by the fact of a ramrod being found, in stating that the man had a short gun, or a long pistol. I never picked up any pieces of lead after the murder. When I saw the cloak at the bridewell, I said, it was longer than the one I saw in the passage. The one I saw at the bridewell came past the knee, but the one I saw in the passage did not reach the knee. I first saw Watson when he came to the stable. I saw Blanehflower first in the nursery after the murder had been committed. I noticed that you carried your head on one side, by your coming occasionally to the house. I do not remember speaking of it to any one before I mentioned it at the coroner's inquest, or before the magistrates. I have had no remarks made to me about giving that evidence. I cannot write my name. The cape I saw in the passage was sticking from the right shoulder. I cannot say whether it was the same as that I saw in the bridewell. I did not observe the posture the left hand was in. I have not heard of any papers about legal matters between you and Mr. Jermy being circulated. I did not know that you were turned out of Stanfield hall farm.—By Mr. Evans: The man in the passage had his head on one side.

Mr. P. Nichols and Mr. R. Tunnailey, surgeons, were next examined as to the nature of the wounds, &c.; the following is the evidence of Mr. Nichols, which embodies every particular of importance.

Mr. P. NICHOLS, surgeon.—On Tuesday, the 28th of November, I was summoned to Stanfield hall. I arrived there about two o'clock on the following morning. I found the bodies of Mr. Jermy and his son in the dining-room. I did not examine them till Thursday. The wound in Mr. Jermy, the elder, was on the outer side of the nipple of the left breast. The wound was two or three inches in diameter; the fourth, fifth, and sixth rib were shattered. The charge carried away the body of the heart, passed through a portion of the left lung, and lodged in the muscular part of the spinal column. I took out several angular portions of lead. I saw no round shot. I gave the shot to Mr. Tunnailey, who assisted me in the examinations. The wound on Mr. Jermy, junior, was not more than half an inch in diameter; it was near the nipple of the right breast. I found the slugs in the body; they were of the same kind as those in the body of Mr. Jermy, senior. Both wounds must have caused immediate death. I gave the lead from both bodies to Mr. Tunnailey. In the body of Mr. Jermy, senior, I found something resembling a cartridge paper.

FRIDAY MORNING.

The learned Judge took his seat this morning a few minutes before nine o'clock. The Court presented the same appearance as yesterday, being crowded at an early hour in every part; and the interest in the proceedings of the trial seemed unabated. The prisoner was immediately placed in the dock; he appeared very nervous, his hands trembling considerably as he turned over his papers.

Before any witnesses were called, the prisoner observed to his Lordship, that he hoped the witnesses for the prosecution would be kept out of court. He proceeded: There is another observation I wish to make, my Lord, if you please. It is with respect to the witness, mentioned by the learned gentleman yesterday morning, named William Frederick Howe. It was the first time I ever heard of such a witness being brought forward, and I have no hesitation in saying, and I do say, that he is a very great, bad man.

I am sure he is a bad man, and I wish to have the reporters mention it in the papers, that it may be known where he comes from.—His Lordship: I shall give no directions of the sort; I have no authority to direct the reporters to mention anything of the kind.—The prisoner: I only say that the man is a big villain and a bad character, and it is a most infamous thing that such a witness should be brought forward in this way.—His Lordship: when it comes to your turn, you can make what observations you please, but I cannot hear you now.—Prisoner: I only want to have this man's character sifted, so that I may know who he is.—His Lordship: I have no power to conduct your case differently from an ordinary case. What you wish to say you can say at the proper time.—Prisoner: He has pretended to be a clerk to Mr. Waugh, but wherever he comes from, I ought to have some information about him, my lord.—His Lordship: I tell you I shall deliberately pay no regard to what you are saying.—Prisoner: I think it my duty to make these observations now. The man is a big villain, and every thing the learned counsel has said about him is false. I never had such thoughts enter my mind. Wherever he comes from, he comes from a bad place, and not from where he represented himself. I hope those who live at a distance, and know any thing about him, will come forward and state it. I have nothing to fear from the truth, but it is an infamous thing to bring a man like this forward at the eleventh hour.—The prisoner shortly afterwards turned to the reporters of the local papers, whose gallery was immediately at his right hand, and requested them to notice his observations. He was about to say something else, but was prevented by the officer in the dock.

EDWIN HARVEY was the first witness called.—He stated that he was a carpenter, living at Wymondham. On Tuesday evening, 28th November last, witness and three others left Wymondham, walking, at half-past seven, for Stanfield hall. It was about 50 minutes after that when they arrived. Mary Clark, laundry maid at the hall, and John Todd and Thomas Howes, of Wymondham, bricklayers, were the others. There is a gate on the outer side of the hall bridge, over the moat. It is 30 or 35 yards from the gate to the porch of the hall. When we got up to the gate, Mary Clark went into the house, and came out again directly, with one of the other servants, Maria Leech. Leech in a minute or two went back again for her bonnet, and returned in about four minutes with Honor Holmes. Witness opened the gate to let Leech and Holmes through. When he had closed the gate, he heard the report of a gun or a pistol, and as he was looking at the time towards the hall, he saw the flash. It appeared to come more from the side of the porch from their left hand than from the other. He could see a figure of some kind, but could not say what it was. He saw a light immediately after, apparently from the hall, and heard a door go to very loud. The others were then walking on towards Ketteringham Lodge. Witness followed them, and when he had got about forty-five yards, he heard another report, not so loud as the first. Witness then went on with the others to the Ketteringham Lodge drive, where Holmes and Leech left them. Before that, he had heard the house dinner bell ring.

By the prisoner.—It was not eight o'clock before I left Wymondham. I said there were three left Wymondham beside me, and not four. I stood by the gate about four minutes before Clark and Leech came together to me. Leech stopped only a minute before she went in for her bonnet, and she returned in three or four minutes. We stood talking at the time. Clark did not go in with her; she stood by the gate with me. I do not know if any of the others have been called to give evidence beside me. I heard Leech say she had been into the rooms to the magistrates. The night was very dark; but I distinguished, on the same night, the figure of a man 30 yards off; but at that place it was not so dark as near the hall, not being so surrounded with trees. I observed a large kind of spark, apparently a piece of wadding, go from the pistol or gun parallel with the left pillar. I should say it went up ten or twelve feet

igh. I was first asked about what evidence I could give, when I was before the coroner's jury. It was not taken down, as I was not sworn, and they said it was nothing of any consequence. I was afterwards questioned at Mr. John Cann's office. The second time this occurred he took down what I said. I was not examined before the magistrates, and have never signed my name to anything I said. Mr. Cann took down what I said about a month back. Howes and I could not stand so near the gate at the time of the report as I did. I thought the figure appeared more towards the left than the right, but it was nearly in front; it appeared to be only a yard or two from the pillars. It was in consequence of the light from the flash that I saw the figure. The width from the outside of the outside pillar of the porch to the inside is about 3 feet. We were talking and laughing at the time I heard the report. From the time we first arrived, to the time of the report, was about eight minutes, during which period we had been laughing and talking out loud. I thought the light appeared to come from the inside of the entrance hall. I thought it was the shutting of the porch door that I heard. I saw no light in the hall after I heard the door go to. Howes, I could, and the three other servants, went immediately towards the Ketteringham lodge, after we heard the report. I immediately went after them. I think there was a light in the butler's pantry. I observed no figure move, I only observed the figure of which I have spoken. If there was a light in the passage, and a person had moved past it, between it and me, I don't know whether I could have seen him. I swear that one of the noises I heard, was the door going to. I had got from 150 to 200 yards into the drive before I heard the dinner bell ring. Holmes was with me then. Clark went to the hall on an errand for Mrs. Jermy. We were walking when we heard the bell. Clark went to the lodge, and I do not know when she left it. I did not go into the lodge. I have never stated that I did. Prisoner—Mr. Cann or some one has written down here, that witness, Howes, and Clark, went into the lodge, and witness has signed it. I saw no one on the way to the lodge but those I have mentioned.—By Mr. Evans—When I heard the door bang to I was going away.

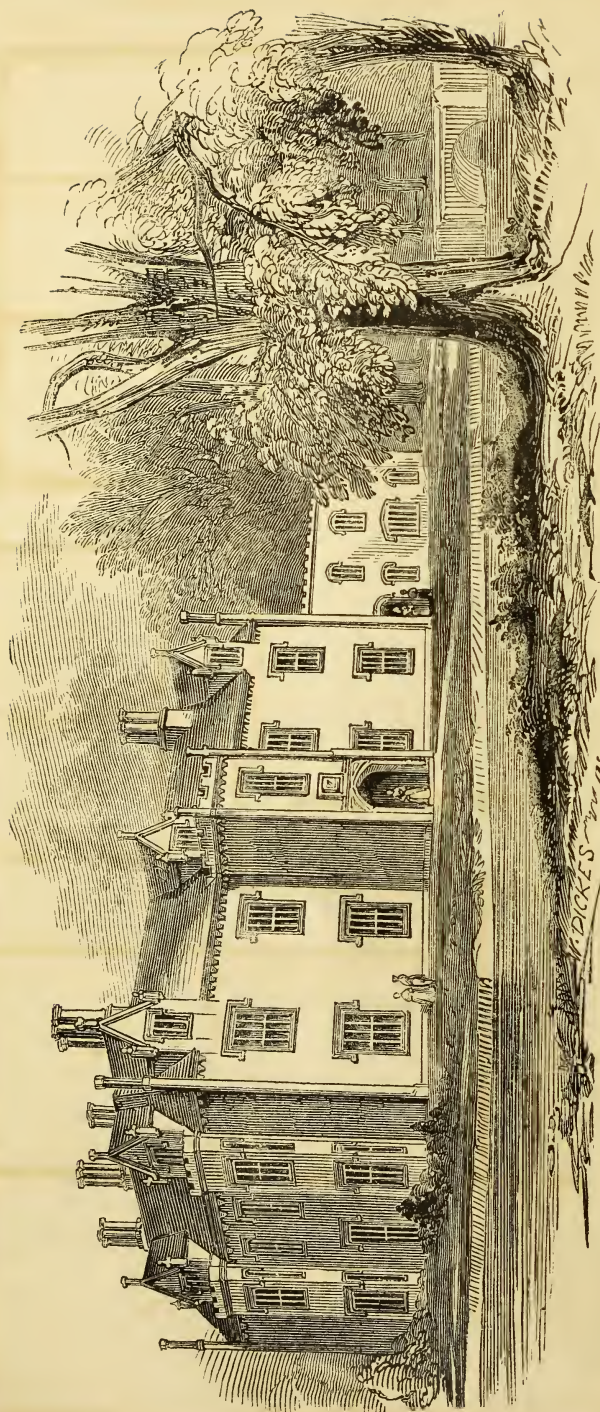
Emily Sandford's Evidence.

EMILY SANDFORD then entered the witness box. She was attired in a black paramatta dress, with a crape veil over her face, which she lifted over her bonnet (also black) on entering the box; she appeared very weak and dejected; she sighed frequently, and often turned her eyes on the prisoner.

Before she was sworn, the prisoner (who seemed in no way affected by her appearance) said, my Lord, I must make one observation. I have a higher power than your's to say to this witness, that I am not guilty of the charge that I am charged with.—His Lordship: The jury will say whether you are guilty or not.—The Prisoner: I cannot help it, my Lord, I must say so. In every respect, I am quite willing she should speak the truth.—His Lordship: If she does not speak the truth, she will be subject to the pains and penalties of perjury in this life, and to punishment in the next.—The Prisoner: I have never yet had an opportunity of speaking to her, and I wish to have her well consider what sort of evidence she is about to give.—His Lordship: You do yourself no good by.—Prisoner: I cannot help it my Lord, it is my duty; I can prove my innocence.—His Lordship: If you can, no one will be more satisfied than myself.—Prisoner: I wish to say, that I have never been angry with her for contradicting her first evidence. I have sufficient to prove that I am innocent.—His Lordship: You are entitled to be in Court while her evidence is given, unless you misconduct yourself. With that leave, the evidence can now proceed.

The witness then deposed.—My name is Emily Sandford; I was living in London, in lodgings, about twelve months ago. About two years ago I became acquainted with the prisoner. I went down and lived with him some time at Stanfield hall farm. After

some time, I went to London with him. It was about the beginning of February, 1848. The prisoner and I lived together at No. 2, Myline street, Islington. I went there under the name of James. One evening in October, I remember some persons coming to Myline street, Mr. Larner, Mr. Thomas Jermy, and Mr. R. Read, were the persons present. Some writing was produced that evening; it was in my hand writing. The document produced is in my writing. It was on the 3rd of October, the time that the deed bears date. I wrote that paper the same day; I wrote it before the parties came, from a copy given me by Mr. Rush, in his handwriting. He told me to copy it. Before they came I gave my writing to him.—They came about six o'clock, and Mr. Rush then produced this paper, which they signed. It had remained on the table from the time I wrote it. It was read over aloud in their presence; by whom I cannot say. It was then signed by all the parties. That signature is mine. I saw the parties sign. [Witness was now so overcome that she wept much. Her medical attendant came forward, but she said she was not ill.] I did not put my name to the deed until Read, Larner, and Jermy were gone. I put my name to it by Mr. Rush's request. It was, I believe, proposed by Mr. Rush and Mr. Read, while the parties were all present, that Mr. Larner and Mr. Jermy should go to Felmingham. From the conversation I understood the reason was, that they were to go into one of the farms. It was said that Mr. Rush was to furnish the means for travelling. I understood that Mr. Jermy and Mr. Larner were cousins. The parties left, I think, between eight and nine. I never saw Larner or Jermy afterwards, but I saw Read afterwards at Norwich. The next day but one, the 5th, I came down to Norwich by Mr. Rush's direction. He left on the 4th. It was arranged before we left London, that I was to go to the Bowling Green Inn, at Norwich. I arrived on the 5th. Mr. Rush met me at the railway station. He immediately proposed that we should go to Potash that night, and he took me in his gig. When we got to Potash, I understood from Mr. Rush that his son and son's wife were at Felmingham. I went into the parlour, and the servant brought a light, I then went up stairs. There are two bed rooms in that part of the house, both opening into a passage. The staircase from the lower floor leads into the passage. There is a door at the top of the staircase into the passage. We both slept in one room that night. I left Potash again, I believe, on the Tuesday following—the 10th—Mr. Rush told me in the fore part of the day that he was going to drive me to Norwich: after tea, he said that Savory should drive me. About eight o'clock the gig was brought to the front door, and I and Mr. Rush got in. He did not say where he should take me to. The boy Savory led the pony, as it was dark. While on the road, he said he should go by himself across the fields to Stanfield. I said, I wished to go with him, as far as possible, as the ground was very wet. We both went in the gig, through several fields, towards Stanfield hall. We came to a ditch, and could get no further. Mr. Rush then proposed that while he went to the hall, I should remain in the gig, with Savory. I did not agree to that, but wanted to go with him. We then left Savory with the gig, and got over the gate, and walked on towards Stanfield hall. He said, when we got to the bridge, that I had better remain out while he went in. I did so, he promising that if I was wanted he would send for me or come himself. I remained outside about twenty minutes, when Mr. Rush again joined me. I asked if he had agreed with Mr. Jermy. He said "now I think he will," and then we went back to the gig, and went together till we got out of the fields, when he left Savory to drive me to Norwich; while in the gig with me, I asked him to go on to Norwich with me. He replied he would if he had not to see Mr. Read. I had understood before that Mr. Read was to come down to Potash. I asked him who would be present to receive Mr. Read and get supper; as I knew there was no one to do so. Nothing more was said on the



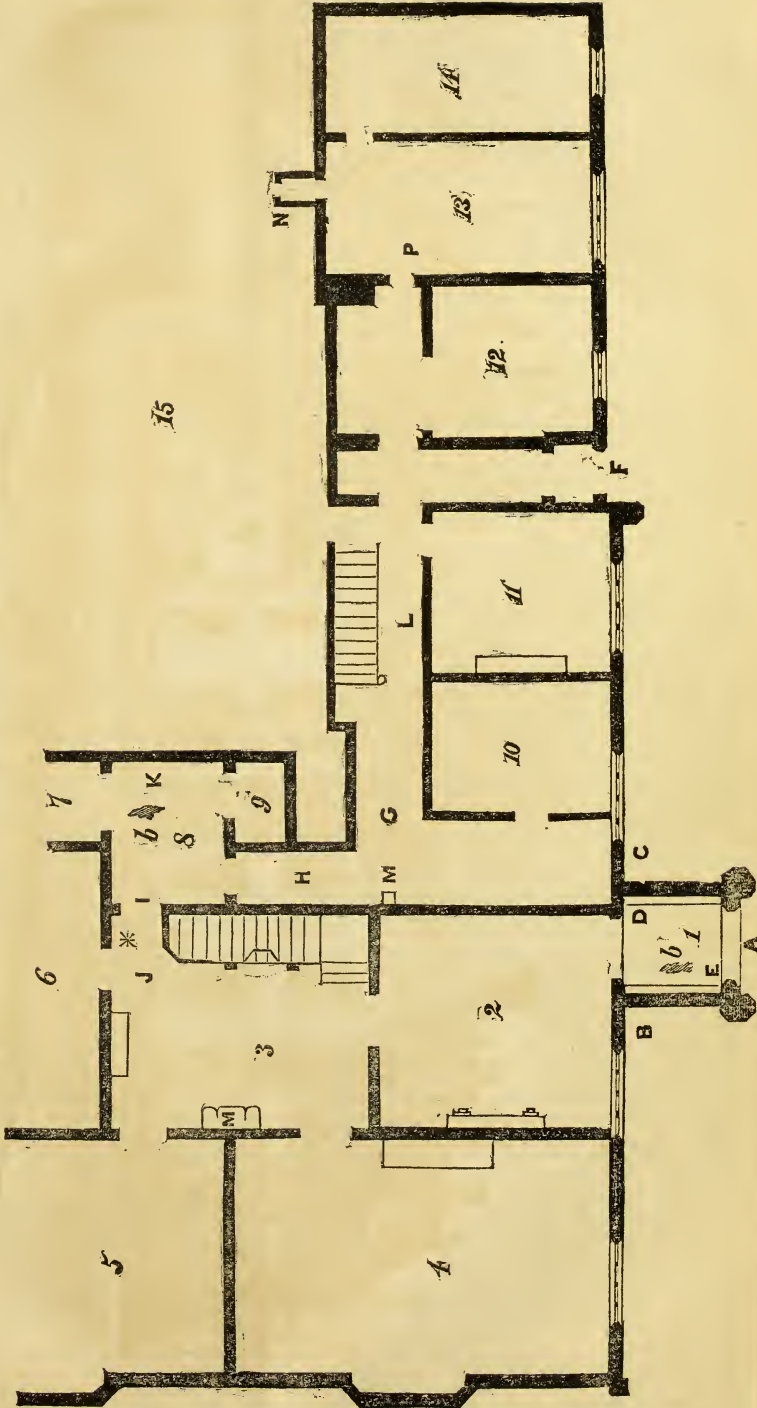
STANFIELD HALL.

Ground Plan of Stanfield Hall.

b The stains of blood on the floor.
P The door at which the cook was standing when she saw Miss Jermy running towards her and the assassin following.
 1 Porch. 2 Entrance hall. 3 Staircase hall. 4 Drawing room. 5 Dining room. 6 Brown parlour or library. 7 Passage. 8 Lobby. 9 Closet. 10 Butler's pantry. 11 Housekeeper's room. 12 Cook's pantry. 13 Servants' hall. 14 Back kitchen. 15 Yard.

G The point at which he was seen by the servant who had come down the stairs.
H The short passage towards the staircase hall.
I The spot where the murderer was when he met Mr Jermy, junior.
 * Near *I* and *J* marks the spot where Mr Jermy, junior, fell.
K The place where Mrs Jermy was shot.
L Long passage. *M* *N* The lumps. *N* The back door.

A Entrance porch by which Mr. Jermy had gone out, and where his body was found.
B and *C* Corners, in one of which, it is supposed that the assassin was secreted when Mr Jermy came out.
D The point from which it appears the fatal shot was fired.
E The place where Mr Jermy fell.
F The side door where the assassin entered the interior of the house.



subject, but he told me to go to the Bowling Green Inn, and he would see me on the morrow or next day. Savory drove me to the railway station at Norwich, to get my boxes, and thence I went in a fly to the Bowling Green Inn. I slept there that night. The landlady told me something, and I went off the next day to the Swan. I wrote a letter to Mr. Rush from the Swan, to say I was there, and on the Friday night he came. That was the day Mr. Read came. On that occasion both Mr. Rush and Read were present, and I understood they were going to London. Mr. Read went out to take a walk, and Mr. Rush was left with me. He asked me to copy some papers for him, which he produced. He gave me a copy of a notice. I began to write out some paper for him, but he called next morning and said he would not trouble me to do it. I do not know whether the paper was destroyed; I gave it to him. Mr. Rush returned to Norwich on Saturday morning from London. It was on the Thursday, I think, that he gave me the paper to copy. On Saturday morning he breakfasted with me. The same day, I went to lodgings at Mrs. Stacey's. He left me there, and, I believed, went home in the course of the day. About a week afterwards he called on me at Mrs. Stacey's, when he shewed me some pieces of paper, and told me he had something to occupy my time with. He produced a written paper that I was to copy from, and gave me the paper that I was to write upon. He gave me one stamped piece first. I wrote the copy, as desired, upon the piece of stamped paper, and I finished it before he left. He dined with me that day. After I had made one copy, he wanted me to make another, which I did. That was also on a piece of stamped paper. He took both pieces away with him. The Sunday afterwards he came again. [Prisoner here complained that the counsel talked loud enough for him to hear them; and he thought that if he could hear, the witness could hear also.] He shewed me one of the papers again on the Sunday, after I returned from the Cathedral. He dined at the White Hart that day. He said, "I want you to put your name to what you did for me the other day." He produced the copy I had written—I believe he produced both of them. The name of "I. Jermy" was written at the bottom. It had been added since I copied the paper. He said to me, "Write your name, and the word 'witness,'" which I did. The paper now produced, and marked C, is the one referred to. Mr. Rush left Norwich about four o'clock on Sunday afternoon. The date of the paper was the date of the day when I went to Stanfield. He said I might be a witness, though I did not go there. We had some words about the matter. He said he did not wish to make me a witness. He told me the papers were only copies. I wrote a letter to him on the subject on the Monday; I do not know whether he destroyed it. [Mr. Edward Cann, clerk to Mr. Cann, solicitor, was here called, and proved that he served a notice on the prisoner, (a copy of which was produced) on the 22nd of March.] The notice was then read. It required the prisoner to produce the letter written to him by Emily Sandford.—His Lordship to the prisoner: Do you produce that letter? Prisoner: I have never had any of my papers; I am quite willing the letter should be produced, if there ever was one, but I deny that there was such a letter. Mr. Cann was sworn, and said he did not find the letter among the papers found on the prisoner's premises. He was cross-examined by Rush as to the time when the papers were found. The prisoner said, let any one consider the situation I am in to produce any papers. There are other papers amongst those which have been taken, of the highest importance. I say there was no such letter there, but there were other letters of Emily Sandford's which ought to have been produced. His Lordship: Mr. Cann says he found no paper of that description, and that is all that we are now inquiring into [The witness, Emily Sandford, then proceeded.] The letter I wrote was on the subject of my signature to the deed. I said it would be putting me to swear falsely. The next night he came to me, and spoke to me on the subject. He was very angry at my having

written, and said it was very indiscreet to write about such matters. He asked me if I had a copy of the letter I wrote. I looked, and found one in pencil. I gave it to him, and he tore it up. He left the same evening, and one day in the week after, he came and told me I should go to Potash on the Friday following, the third of November. On that Friday he took me to Potash; young Mr. and Mrs. Rush were there at the time, and the two servant maids. I took possession of his bedroom. (Witness was here shewn the model, and explained the position of her own and the prisoner's rooms.) We generally had our meals in that room for some little time, and slept in it also. We lived so about a week, and then went down one day to air the furniture in the parlour. We did not continue to live below stairs. While at Potash, on the 21st, the Tuesday before the murder, Mr. Rush produced something again for me to copy. I did so on stamped paper, in the morning, and Mr. Rush took them, and went out, saying, he was going to take the original to Mr. Jermy to sign. I made three, which I thought at the time were the same. He returned to dinner, having been gone two hours and a half. I asked him if Mr. Jermy had signed, and he said No; but he was going to call in the afternoon again, on his way to Felmingham. He said, Mr. Jermy had behaved very kindly, as though they had never had any words. He said, "what a strange man Mr. Jermy is." He said, young Mr. Jermy kept coming in to hear what the conversation was, but old Mr. Jermy desired him to leave the room, saying he was not wanted. After dinner, about three o'clock, he told me I had better take my walk, as he had a little writing to do. I did so, and came back in about half an hour; when I returned a great many papers were on the table, and after I had taken off my things, he said, "I wish you to put your name to those papers you wrote for me." I saw two of the papers—those produced are the same. There was a third—two like that marked B, and one marked A. They were not open when I signed them; he said, "put your signature to these, and the word 'witness.'" They were partly folded. I put my name and the word witness first, and then he signed his name. These signatures are my hand writing. The words "Isaac Jermy" I did not notice when I signed. I do not know whether they were there or not. [Counsel to his lordship:—This is the paper marked B.] When I gave him the paper (B) in the morning, the name Isaac Jermy was not there. I signed another (marked A.) This signature and the word witness is my hand writing. When I put my signature to it, I think the name Isaac Jermy was upon it, but it was not there when I gave it to him in the morning. Mr. Rush did not write his name to this while I was present. Mr. Rush dined at Potash on the 24th, between one and two o'clock. Towards the evening, he said, he had seen a fresh stake driven into the ground. I understood that he meant, that a stake had been driven in by poachers, and that he should go out after them. He had been out in the evening several nights before. He had only been at Potash three or four days, when he told me that he used to go out after poachers. On the Friday we took tea about 6 o'clock. Mr. Rush was standing by the passage window when I was getting tea ready in the bed room. He said, "Make haste and get the tea ready; it is just the night for those rascals." We sat down to tea, and while we were at tea, he wanted a little spirits. He complained of being unwell, and said he would have some gin in his tea. I recommended him to take brandy. He said he should prefer gin, and went to get some from the closet. He got the gin, and poured some into his cup and drank it with his tea. He asked me to have some, and I took a little in my tea. He then got the gin bottle and drank some gin from it. I cannot tell how much he drank. He said the gin would keep the cold out as he was going out. After taking the gin he went down to give his son some letters to take to the Wymondham Post Office. He then went up-stairs into his bed room, and told me to clear away the tea things, and go into my own room. He told me

also, that when I got into the room, I was to put out the light, and watch James, his son, up the road, to hear when he passed, and let him (Mr. Rush) know. I did so, and he then told me to return to my own room again. He was at this time in his own bed-room, with the door shut. I closed my own room door as near as it would shut. He had, on prior occasions, when he was going out at night, told me to go to my own room. I asked him to take Savory with him on this occasion, saying, it was dangerous to go after poachers alone. I heard him go out, but did not see him. The door from the staircase was shut, but not locked. I heard him again that night, about half-past eleven, come in at the front door, and come up stairs. He opened the passage door, and said, "Where are you." I told him, "Here, in your room." He said, "Step into your own room a moment." I had a light in his room. I went into my own room, leaving the light in his. I heard him go into his bedroom; he shut the door, but I cannot tell whether he locked it. I had no opportunity of seeing him when he came in. He left the house to go out about half-past six or seven o'clock. After he returned, I remained in my room, about a quarter of an hour, in the dark. He opened then the door of his own bedroom, and said "Are you not coming in?" I went into his bedroom, and found him in bed. I thought the spirits he had taken had affected him, I said to him, "You appear tipsy, and its that nasty gin." He said, "Yes, I was a fool for taking it, and I feel very unwell." I made him some tea. I observed a pair of stockings which he had worn very muddy. I did not notice any other articles of his dress. The stockings were drying on the fender; they were muddy and wet about the ankle. I let him sleep some time before I went to bed. He slept a short time, and I aroused him to take the tea. It was about two o'clock when I made the tea for him. He went to sleep after taking the tea. In the course of the night, about two hours after he had taken the tea, he rose up in the bed, and said, he was afraid he had lost something. He went about the room to look for something, and found his keys under the bed. He unlocked his closet and searched about amongst some things. He said "I have got it, it's all right." When he said he lost something, he said if he could not find it, he must go out and search for it. [The witness here appeared much affected, and it was suggested that she should retire for a short time. The Prisoner: It is a long while, my lord, for her to sit here; if you were to let her retire for five minutes she would perhaps feel more collected.—The witness, on being asked by her female attendant if she would like to retire, replied in the affirmative. The court then adjourned for ten minutes.]

When the witness was re-called she continued: On Saturday the 25th of November, Mr. Rush went to Felmingham. On his return, he said, the servant there had set fire to a closet. Some papers of his, he said, were wet, and he had brought them back to dry. On Sunday, I helped Mr. Rush to arrange his papers, some of which he burned. On the Saturday he brought me a ticket for a concert to be given by Mad. Dulcken, at Norwich. The ticket was to admit five. He said I was to go with him; and we were to meet a governess and two of his daughters at Norwich. On Monday, after dinner, he told me that he had given the ticket to his son James, and his wife. I asked how he and I were to go, and he said we could go separately. Monday was my birthday. Young Mr. Rush and his wife had remained at Potash up to that time. Mr. Rush and I had during his time lived in his bed room, except on the day I have before mentioned, and on the 27th we went down in the parlour. In the afternoon young Mr. Rush and his wife went away. They had occupied the other side of the house. Young Mr. Rush brought me some oaves and butter and asked if it would be enough till he returned. They then left. I found also that the servant had left. I was going to ring the bell, when Mr. Rush said I need not do so, for the servant had gone home. There were two servants, but the other had

left a week previous. Mr. Rush and I dined together as usual, on Monday. In the evening, I did not see him go out or return. He was not out so long as on the Friday, not more than about an hour and a half. On the Tuesday nothing particular happened till dinner. We had tea about six o'clock. I had been preparing for the concert during the day. [The prisoner again complained that the counsel were talking so loudly that the witness could hear them.] Mr. Rush came in, a few minutes before dinner, and asked how long it would be before dinner would be ready. I said "In about five minutes." He said, "There will be just time for me to fire my gun." He then went up stairs and fetched his gun and fired it off. He went out shortly before tea time. At tea I observed he appeared very low; he said he was not well. We had a great deal of conversation. During the tea he said he thought he would not go to the concert that evening, as he was unwell. He asked me if I should be much disappointed. I said, "No, not in the least, if you are unwell." We made arrangements for going the next morning to the morning concert instead. During the conversation he said, he should go out again in the evening. I objected to his going, and asked him why he wished to go; I said I was sure there was something more than poachers. He said there was something more, and wished me not to ask him then, but said I should know another time. He asked how many times he had been out. I said five or six times. He said he should only have two or three more times to go out, and then he should succeed. We had been reading a book on Scotch history some time before. He asked if I recollected the anecdote of Bruce. He said "he succeeded the seventh time, I think I shall, and I will try again." He mentioned about Bruce's sitting watching a spider. He said "It made several attempts to spring to the wall; it tried six times and failed, but the seventh time it succeeded." He said that the chieftain succeeded, and he also would succeed. We conversed for some time. I asked him why he looked at me so, for he was looking very much at me, and crying. He left the house about half-past seven. In the course of the afternoon of that day, I saw the remains of a fire in his bedroom. It was nearly three o'clock when I observed it. The fire was nearly out. I went upstairs twice; the first time the bedroom door was locked; Mr. Rush was then shaving. The fire was quite out in the evening. When Mr. Rush went out about half-past seven, I was in the parlour. He had been in his bedroom about a quarter of an hour before he left. I heard him come down stairs, and pass into the sleeping room, and speak to the boy Savory. I did not see him at all then. I heard him go all the way through the back premises. I was in the house by myself after he left. As he returned from the keeping room, he said, "fasten this door after me," meaning the porch door. He returned about nine or half-past nine o'clock. I heard him rapping at the door. I went and asked "who's there?" He said, "Its only me, open the door." I opened the door, and went into the parlour, and said, as I did so, "It is undone." He then came in and went upstairs, but I did not see him. I closed the parlour door when he was going up. I asked him if he would have a light. He said no, he could get one up-stairs. As he passed the parlour door, he told me to go to bed. I remained a few minutes in the parlour, when he came down into the room. He had neither coat nor shoes on. He had either boots or shoes on when he came in. When he came into the room, he was very excited, and looked pale, ill, and agitated. He said "Take the top of the fire off, and come to bed." I asked him what was the matter, and whether anything had happened. He said, "No, nothing; if you hear any inquiries for me, say, I was out only ten minutes. He then told me to go to bed, and went to bed himself. I afterwards took off the fire, and threw water on it, and then went upstairs. I went to his door and just opened it. I went in about a yard, and asked him which room I should sleep in. He said, "In here," and immediately afterwards added, "No, in your

own room." He came towards me, and said, "But stop, you will want your dress unfastened." I had always before slept in the same bed with him since he had been at Potash farm. I went into my own room when he told me. There was a fire burning brightly in his room. I did not light it. I heard him go down stairs when I was in my own room. He returned shortly afterwards. He appeared to lock himself in when I left him. I went to bed, and bolted my door inside. I had been thinking a great deal about what had happened, and then fell asleep. I was awaked during the night, perhaps about three o'clock, by the prisoner coming knocking at the door. I asked who was there. He said, "It's only me, I want to wish you good night; unbolt your door." I then unbolted the door, and he came to the side of my bed. He talked a great deal, and said "Be firm; if any one ask you how long I was out last night, say I was out only ten minutes." [I asked what had happened, and what was the matter. He said, nothing had happened, but I might hear something in the morning. I was trembling very much, and he asked me the reason. I said I felt cold; he said "You appear as if you had the ague," and went & brought his great coat, & put it on my bed. There was a great deal said that night. I asked several times what had happened. Once I said, "For God's sake what have you done?"—feeling his hand tremble. He then repeated what he had said before. He said God would bless me, for I had done nothing wrong. As he was leaving the room, he said something about a hat and lining, but I can't tell what it was. I remember a thick pair of boots of Mr. Rush's, open at the sides, with a loop behind to pull them up. I had frequently seen them drying on the mornings following the evenings on which he had been out. I saw them for the last time on Saturday or Sunday. Some days previously Mr. Rush took me to a closet in the parlour. There are two closets there, and one in his bed room. He shewed me where he kept his papers that were valuable, and said, no one but his poor mother knew of the place. He shewed me one of the planks which had to be taken up, and shewed me how to raise it by a chisel, in case of fire. He always kept the closet in the parlour, and that in the bed room locked. On the Wednesday morning at breakfast, he said, "Do you know that I had my slippers on?" I said "I don't know." The cloak now produced belonged to Mr. Rush. I had it made up in London. It was kept in the closet in his room.

Cross-examined by the prisoner.—Who did you see to speak to after you left the box for refreshment? Witness: No one.—Prisoner: Have you been told any evidence that has been given against me in this court? Witness: No.—Prisoner: When did you come to Norwich first for the Assizes? Witness: the day before yesterday.—Prisoner: When were you examined last, as to the evidence you were to give here? Witness: When before you last time; never since.—Prisoner: Have you been told about anything Savory says about what took place on the night of the murder? Witness: No; I have read it in the papers. Prisoner: Have you been questioned by the police within the last fortnight or three weeks? Witness: I have never seen any of them for nearly six weeks.—Prisoner: When did you last see Mr. Cann or Mr. Harcourt.—Witness: About ten days ago I saw Mr. Cann and Mr. Harcourt.—Prisoner: Did they take any examination at that time, or ask you any questions about what evidence you were to give? Witness: No: I gave it to Mr. Cann. He simply asked me if I had lived in King's Cross, and I said no.—Prisoner: What account did you give Mr. Cann about ten days ago; and was it a written account?—Witness: I wrote down about the hat and lining, and the anecdote about ten days ago. Prisoner: Did he ask you any other questions?—Witness: Only about the reports circulated about me, and they were not right.—Prisoner: Did you ever before give Mr. Cann any written statement of what you were about to give evidence on here, some days ago?—Witness: Yes, before my confinement.—Prisoner: Who was with him when you gave him that?—Witness: I had

written it out; it was in my portfolio, and I told Mrs. Bryant to give it to him.—Prisoner: Who gave them to Mr. Cann?—Witness: I do not know who gave it to him. I was ill at the time, and could not see Mr. Cann.—Prisoner:—Have you not heard me say why I knew of poachers going on to Potash at night? Witness:—Yes, you thought it was the men on your own farm, and that's why you went out yourself.—Prisoner:—Have you not heard me give you other reasons why I knew they had been on, certainly, after game? Witness:—You said that you had seen several snares laid.—Prisoner:—Did you ever hear me give any other reason why, and how they caught the game? Witness:—You said they caught them in a noose by the gates.—Prisoner: Have you not known that the game has been fed in plantations opposite the house? Witness: Yes, pheasants have been in the orchard in front of the house.—Prisoner: Do you not know that there is a stake in the plantation, where the pheasants are fed—a small stake? Witness: I have seen the stake where the pheasants are fed.—Prisoner: Do you recollect the last time I had any one shooting at Potash, the time you were there, that we could not find any game worth going after. Witness: You had one pheasant and that's all; at least so you told me.—Prisoner: You never heard any guns going off? Witness: I saw you shooting. But that is all the game I heard of.—Prisoner: Did you hear at that time of Savory's having seen Sir John Boileau's keepers sending a dog into the plantation, opposite the house, to drive the game out? Witness: No, I cannot recollect I ever heard of it.—Prisoner: Did I not tell you of stakes being found in the plantation, for taking the game? Witness: Yes, in your own fields.—Prisoner: Was it not usual for me when I came home of an evening to go upstairs before coming into the room that you are in? Witness: You never did go out of an evening before those nights.—Prisoner: I mean after I had been on my farm, did I not go upstairs to wash? Witness: I do not know that you did.—Prisoner: I do not wish you to say anything that you do not know, but I understood that you had said so. Was not your watch, and the one I was wearing on the 28th of November last, and for some time previous, three quarters of an hour faster than the train time? Recollect before you give an answer. Witness: I know the Potash clock was considered much faster.—Prisoner: What observation was made with respect to our watches being faster than the train time, on the 28th; when we talked of going to the concert? Witness: I think you said you were not in a very great hurry, and that our clock was faster.—Prisoner: Were there any watches produced at the time? Witness: Yes I looked at mine at the time.—Prisoner: When I offered to go, did I not say that our watches were so fast that we should be in time? I wish to bring her to recollection about the watches—we looked at the watches then.—His Lordship: Were the watches the same as the train time, or as the clock?—Witness: My watch was the same as the Potash clock.—Prisoner: At the time we were talking about the concert, did I not say I was very vexed that I should disappoint your going?—Witness: Yes, you said it was a shame I should be disappointed.—Prisoner: Do you recollect where you were sitting at the time of the first conversation about the concert before tea?—Witness: We had no conversation before tea.—Prisoner: Now, recollect when I came in where I was sitting? Recollect! take time! Where was I sitting before tea? Was I not sitting on the easy chair some time before tea, and were you not sitting with me without your outside dress on?—Witness: I had not my outside dress on.—Prisoner: Were we not sitting in a certain position a very long time before we made preparation for tea?—Witness: You said, "Come and kiss me," and I came and sat on your knee.—Prisoner: Was not that before tea?—No! it was after tea. I never went over to you till after tea.—Prisoner: I will bring other things to your

recollection, that will make you remember it. I now ask you, at that time I was sitting there, if you thought there was any possibility of my having the least appearance of being guilty of such a horrid charge as this? Witness: No, certainly not. I never dreamed of such a thing.—Prisoner: Has Mr. William Cann, the magistrate, read a note to you from me, since you have been in the bridewell. Witness: Directly I returned, Mr. Cann, the magistrate, called and told me the purport of your note, but I did not see it; I have never seen him since.—Prisoner: He did not read it to you? Witness: No; he told me the contents of it.—Prisoner: How did he say he came by it? Witness: I think he said it was brought from the castle; he said, I could not see it.—Prisoner: Did you see the note at all? Witness: No, I did not.—Prisoner (to the Judge): I should like to know, my lord, if I am allowed to have it read, to hear if he gave the contents properly: The Judge: It has nothing in it to the point, but as there is no objection made, it shall be done.—The prisoner then read it himself. (It was the letter alluded to by the learned counsel, in his opening address.) He then asked if Mr. Cann said all that. Witness: Mr. Cann's words were, that you had apologized for what you had said.—Prisoner: Did he say nothing about the unjust accusation against me? Witness: No.—Prisoner: He wrote me word my Lord, that he had communicated the contents. I will now tell you what I wrote to Mr. Cann. This is the letter:—"I think it my duty and what is right, considering the state Miss Sandford is in, to send the enclosed half sheet to her; and under all circumstances, I hope you will communicate the contents to her, or send it, so as I may have a line or two as an acknowledgment of the receipt of it. She has enough to suffer, without having to think that I wish her any harm. Upon my soul I do not, however unjustly I may be accused. I hope you will agree with me in the propriety of her having my note." [His Lordship: Mr. Cann saw the witness, and told her that you had written a letter, in which you had apologized to her for the rash language you had used. These are the whole of the facts. I cannot hear any observations upon them.]

Prisoner to witness: How has my conduct been, as far as you have seen of me, since you had known me, up to that time, as regards my sensibility of feeling, and my disposition and attention to religious duties, up to the time these transactions happened? Witness: You have always been of amiable temper towards me, and I never knew you to be any thing contrary towards others. You had prayers read on a morning since I came to Potash. That was done before I left Potash. They were read generally, but not always.—Prisoner: Have you not invariably before coming to bed to me, knelt down, and to all appearance to me, have said your prayers? Witness: Sometimes I have done so.—Prisoner: I do not recollect your ever missing. Witness: I cannot be positive I always did.—Prisoner: that was your habit.—Witness: I was sometimes behind the curtain.—Prisoner: My lord, I wish to shew what her conduct has been.—Prisoner: Have you any reason to suppose, that your conduct has not been consistent with your offering up such prayers?—Witness: Do you think my conduct was bad then?—Prisoner: No! no! my dear, not at all, I only ask you whether you had any reason to suppose that you acted consistently with your saying those prayers?—Witness: I hope I did; I did all I could to make you comfortable.—Prisoner: Have I not repeatedly told you when you have complained of the expense you have been to me, that the expense we were living at was less than when I was in London by myself? Witness: I thought I was an expense to you, and when I said so, you said the expenses were not so great as you had before incurred. I taught music to ease her expense.—Prisoner: My lord, I served a notice on this witness to produce an account-book of our expenses. Witness: You took it from me. You said I should not want it any longer. The notice I had was, that I should produce all the

papers that I had relative to Mylne street. I have some in my pocket.—His lordship: Do you produce the account book? Witness: I cannot.—His lordship: Why? Witness: Mr. Rush took it from me.—Prisoner: Mr. Cann, have you seen it? Mr. Cann: I have not seen it.—His lordship: It is for some purpose I suppose that you wish her to produce it. You may ask her about the contents of the book, although she has not got it, and although it is not strictly regular.—Prisoner: All I wish to have the book for is, to shew the little expense we were at. I wish her also to produce some receipts for furniture and other things, taken to the lodgings in Mylne street. It is for her own good, as well as mine.—Mr. Cann: They will be produced by-and-bye.—Witness: I have some receipts here for trifling things.—Prisoner: But have you the others? Witness: I gave them to Mr. Cann.—Mr. Cann: I have them and will produce them.—Prisoner: Have I not promised you that, so long as you continued to shew such kindness and consistency of conduct, you should never want a home while I had one? Witness: You said you should never forsake me, on account of breaking your promise.—Prisoner: Was it not on that condition that it was agreed between us, that, after the second child was born, we should cease all connection with each other, except that I should be a good father to the child, and you should live with me as my housekeeper? Witness: Yes.—Prisoner: At the time this conversation took place, was it not agreed that one of my daughters should always sleep in the same room that you did? Witness: You said, when your family removed, I should occupy your room with the baby, and that the governess should occupy the next.—Prisoner: That's right. Had you the least doubt that I was sincere, and that it was done for the real respect I had for you, for your good, and for the welfare of my other children? Witness: I was obliged to receive that. You had broken your promise of marriage; what other promise could I expect?—Prisoner: Do you recollect the reason I gave for pursuing that course? Witness: What course?—Prisoner: That you should live with me as a housekeeper, & that we should cease our connection. Do you not recollect the reason that I gave? Witness: No!—Prisoner: Do you not recollect that it was that we might not have the house full of children? Witness (indignantly): I do not know why you wish to insult me. [Witness here burst afresh into tears, but soon again recovered.]—His lordship (to the prisoner): I cannot allow you to wound the feelings of any one, in this way, unnecessarily. It has no bearing on the case.—Prisoner: It is not out of disrespect to her. All I say is this, that I gave as a reason for the course I pursued, the respect I had for her.—His Lordship: She said as much as she could, that you conducted yourself in a manner amiable to her as far as possible, and as far as is consistent with what has transpired, she never saw you conduct yourself otherwise.—Witness (weeping) to the prisoner: Did you not tell mamma that I was gone to France?—Prisoner: No, my dear! I never thought of such a thing, if it was the last word I had to speak.—Witness: You told mamma I was either going or gone.—Prisoner: Who told you?—Witness: It is all false what you told me when you returned from London the last time.—Prisoner: I went to see your mother. Witness: You told my mother I was going to France, and was going to be possessed of a great sum of money.—Prisoner: Good God! I hope (addressing himself to the Judge) you will allow me to ask her one question.—His Lordship: There are many questions which you have asked, that I should not have allowed counsel to put, but feeling that you are conducting your own case, without understanding exactly what the rules of these Courts are, I am very loth to interfere to prevent your doing what you think is for your interest; but I cannot allow you to wound the feelings of another person.—Prisoner: I do not do it with that intention, quite the reverse, my Lord.—His Lordship: Unless you confine yourself within bounds that shall render it perfectly plain that you are not hurting the feelings

of any person, I shall confine you to the strict path you are justified in pursuing. You must only ask relevant questions.—Prisoner: I am sorry I have done so: I know her feelings have been worked upon. Addressing himself to the witness he said:—Was not that one of the reasons you took the name of James, and pretended to be a widow, that it might be respectable—your living as my housekeeper? Witness: No, you did it to hide the promise you made to me, or being known to have any connection with me. That is why you did it.—Prisoner: I say nothing about the promise I made to you; I am quite willing to admit that. I ask you—was not that one of the reasons why you took the name of James—that it might be respectable for you to live with me as a housekeeper? Have I not given you passages of Scripture that I said would sanction the way in which we lived together? [Sensation.] Did I not say, also, that God Almighty would forgive us that sin if we committed no other?—Witness: Yes.—Prisoner: Now I ask you whether you do not recollect my sitting on the easy chair after I came in that night, and your sitting on my lap?—Witness: I did sit on your knee. I asked you why you stared so strangely at me, and you said, "Come and kiss me." I then went over to you.—Prisoner: That's quite right. Where was the easy chair standing at that time?—Witness: At the corner of the table.—Prisoner: How far off the table was it?—Witness: It was close to the table, so that you could have reached your cup off.—Prisoner: Had you your outside dress on? Witness: You know I had not.—The prisoner here cautioned the witness to tell the truth on such a case of life or death. He called on her before God to remember the importance of her speaking the truth. Throughout the whole cross-examination, he very frequently repeated his injunctions on this head, declaring that he had nothing to fear from the truth, that God Almighty was his only friend, and that his love for the witness was undiminished. After examining her at some length as to the dress which she had on on the evening of Tuesday, he proceeded: How long was it from the time we were talking about the concert, when I came home, to the time when we began our tea? Witness: I set about making the tea as soon as you came in.—Prisoner: Do you recollect my talking about the kettle boiling? Witness: I am sure I cannot recollect these things.—Prisoner: Did I not tell you I was unwell when I first came in on Tuesday? Witness: Yes; I asked you what was the matter, and you said you were not well.—Prisoner: Now try and answer my next question; I have a large family of children, and that sort of thing, and I ask you where I was sitting when you say I was crying? That was before tea you know. Witness: That was during tea. Prisoner: Did we hurry tea? Witness: No, not by any means.—Prisoner: How long did we sit talking together? Witness: Some time.—Prisoner: An hour? Witness: It might be more.—Prisoner: Where did we sit after tea? Witness: In the same place where we were staying during tea.—Prisoner: Did I not, after I got up, stand by the fire, talking for some time? Witness: I am sure I do not know.—Prisoner: Do you recollect my asking you to read what was to be the morning performance at the concert? Witness: We certainly never read about the morning performance.—Prisoner: Was there not a paper or a bill got to shew what it was? Witness: No, but you said the concert was quite as good as the evening one.—Prisoner: Do you recollect my standing by the fire at all? Witness: No, you were sitting down I think.—Prisoner: When was it that you advised me not to go out, because I was unwell? Witness: It was while we were at tea.—Prisoner: Did you not expect, from what I stated to you that night, that I should be back almost directly? Witness: Yes, you said you would not be gone long.—Prisoner: From what I stated, I made you believe that I should not have been so long as when I was going after the pouchers.—Witness: I had been asking you if you would be long, and you said you would not.—Prisoner: You have said elsewhere that you were reading when I was out. Now, judging

from what you read, do you think that I could have been gone more than half an hour?—Witness: I should think it was nine, or half-past nine, before you returned.—Prisoner: I ask you, on a solemn occasion like this, do you think I was absent more than half an hour?—Witness: It would be difficult to say how long you were absent, as I was reading an interesting work. You returned sooner than I expected.—Prisoner: What were you reading when I was out?—Witness: "Whitefriars"—an historical romance.—Prisoner: Do you think, then, I could have been absent more than half an hour!—Witness: Yes, I should think you were. I had read about half a volume.—Prisoner: Pray, now, do be careful what you say. My lord, I am sure I was not absent more than half an hour, and I can prove it. I must have the depositions of this witness. His Lordship: If she says anything now which you imagine differs from what she had said formerly, you can ask her; and in order that she may know, the depositions can be produced.—Prisoner: You have said, "He came home about six o'clock to tea." Is that right? Witness: Yes.—Prisoner: And that you were dressing for the concert at the time? Witness: Yes. I had quite dressed except putting on my outer dress; I slipped on my morning gown to take tea with you. [Several of the preceding questions were repeated in nearly the same words by the prisoner.] Prisoner: Do you recollect my conversation while I was standing at the door? Witness: You did not stand at the door.—Prisoner: Did you hear me upstairs after I left the room? Witness: I heard you go upstairs.—Prisoner: How long do you think I was upstairs? Witness: I should think a quarter of an hour.—Prisoner: Can you say on such an important occasion as this, that it was not half an hour? Witness: I should think it was a quarter of an hour, or 20 minutes.—Prisoner: I think you heard me talking to Savory at the back of the house? Witness: I heard your voice, but I did not hear what you were saying.—Prisoner: Did I not ask you to bar the door after me? Witness: As you passed, you said, "Bar the door after me." You were then outside, and the door was closed.—Prisoner: Now, on your oath, and for the sake of my dear little children, answer my next question. Was it not an hour from the time we had our tea to the time when you barred the door? Witness: No, it could not be an hour; you were only a quarter of an hour or 20 minutes upstairs.—Prisoner: Have you not sworn before the magistrates that it was an hour? Witness: I do not know that I have.—[Witness's depositions before the magistrates were here read. In her evidence she stated that it was about an hour after tea, that Rush went out; which she explained by saying, that she meant the time when they sat down to tea, about six o'clock.]—Prisoner: I must caution you how you answer, and how you swear my life away falsely; if you will do so, say so at once, and I will sit down and not ask another question. Now, was it two hours altogether from the time we sat down to tea to the time I went out? Witness: I should say it was about an hour and a half.—Prisoner: Will you swear it was not nearer two hours than an hour and a half? Witness: To the best of my recollection it was about an hour and a half.—Prisoner: Did you hear me walking in my bed room after I was up-stairs at night and you were in the parlour? Witness: Yes, I could hear you over head. Prisoner: How long did I stand in the parlour talking with you, when I had my coat off? Witness: Not more than a few minutes.—Prisoner: when you went up-stair did you see a large fire in my room? Witness: Yes.—Prisoner: I see you have said, "From its appearance it must have been lit some time."—How long do you think it was lit? [Some further depositions were read at the prisoner's desire.]—Prisoner: How long was it from the time when I came in, and when you saw the fire in my room?—Witness: I cannot tell; perhaps it was about half an hour.—Prisoner: Did I not open the door when you came up?—Witness: No, I pushed it open, and you hurried me out of the room.—Prisoner: Did I not

tell you which room you should sleep in?—Witness: Yes, you did.—Prisoner: Did I not request you not to take a light into your own room?—Witness: I was taking a light with me, and you said "Put it out." Prisoner: Did you not stay in my room some time after I unfastened your dress? Witness: No, I did not.—Prisoner: Did you not make preparations for going to bed before you left? Witness: No, you hurried me away.—Prisoner: Where did you get your candle from? Witness: From up-stairs.—Prisoner: When you were in the room, did I not tell you to do what you could in undressing before you left? Witness: No, you were hurrying me away.—Prisoner (with an impatient laugh): No, no; will you swear, before God, that you did not stay some time? Witness: I only stayed to look at you, trembling at your manner.—The prisoner repeated these questions so many times that the witness became almost impatient, and the court wearied. His lordship said he had allowed the prisoner to go to greater latitude than he was justified in doing, and he should be obliged to confine him to the asking of relevant questions. Prisoner: Did I not say something to lead you to expect that poachers were coming, and that that was why I did not wish you to have a light in your room? Witness: I do not recollect anything of the kind.—In answer to further questions from the prisoner, which it would be tedious to give entire, she said that the front door was in the habit of blowing in if not fastened. Prisoner, on returning, did not unbolt the door and enter until witness had got into the parlour. Prisoner came into witness's bed-room twice on the night of the murder. (Prisoner here affirmed his love, and fidelity, and respect for witness, and appealed to her not to shrink from answering his questions through false delicacy. God Almighty, he said, was his only friend. Witness cried bitterly for some time.) Witness had been asleep before he came in the first time, previous to which she had laid a long time thinking. She was awakened by his knocking at the door; she got into bed on one of the occasions, not on both. It was not then that he complained of her shaking; it was while he was leaning on the outside of the bed, and had her hand in his. It was the other time that he got the coat. When he was in bed, witness asked him why he trembled so. She did not remember that he said he was cold, or that he said he had been standing by the window, or had been down stairs. It was not then that she said anything to him about his having taken spirits. It was at that time that he said his mother and children were ruined. She observed him trembling when in bed, and asked him repeatedly what was the matter. It was at the time he was at the side of the bed that he said she would hear something in the morning. He did not say to her that he was fearful something bad had taken place at Stanfield hall. He gave her no reason to expect that he was going to tell her what had taken place. Witness made use of no such words as that she should be sorry to hear him say what had happened. At the time he said that God would bless her, for she had done nothing wrong, he did not include himself in the blessing. (Prisoner here affirmed that he did, and that God knew it, and would protect him.) In answer to other questions, witness proceeded to say:—After you had been in the bed sometime and had got warm, you did not cease to tremble; the trembling was the same all the time. I was trembling as well, but did not that time complain of being cold. You did not after you left that time come and tap again, and I did not come to the door a third time.—Prisoner: Oh! I must have you recollect the third time before I have done with you.—Witness: I did not come to the door again, and speak to you about our playing draughts. I do not know where the draught board was then. I can't tell in which room we played draughts last. At the time you spoke about God blessing me, I do not remember that any thing was said about our saying our prayers. You said many things rambling. When you let me into the secret about the closet, you were not in the closet, I believe. You had to go to the closet, and said, "Now

I will shew you the secret place." You did not go to the closet for the express purpose. At the time you told me of it, I cannot say whether you observed that it had been or that it was then a place of safety; you said it was a place of fire. The closet has been generally locked, but was left undone once or twice. I have never, however, been in it, until the Wednesday after the murder. Prisoner asked if he looked at breakfast as if he could have committed such a horrid deed? Witness replied—You were pale and looked bad, and you made a deal of fun when I had to feed you, as you had the handcuffs on. You said—"Could you eat so heartily if you were guilty?" I have had access to and have read the local and London papers on the subject of the murder, but have not been told what other evidence besides my own was given against you. After the first examination had been completed before the magistrates, before I had signed it, the Rev. Mr. Wilson told me to be careful, and asked me if I would swear it was only a quarter of an hour, and whether it was not an hour. I do not remember that he said anything about any one's having seen me that night. (By the prisoner's request, the first depositions of the witness, taken at the Bridewell, were then read.) I then said you were out only ten minutes, because you told me—I knew it was not correct, but I had never told any one so. I first gave the true particulars to Hubbersty, Jones, and Andrews, police officers, on the Friday. I did it voluntarily. Neither Mr. John Cann nor Mr. William Cann have interrogated me, representing that they came from you. Superintendent Andrews was with me when I dined with Mr. Waugh on the Friday. I have never been examined at all since I was examined before you the morning after the murder, when the police were with you, you called me, and said "something's up at Stanfield hall." I heard the window sash go up, and heard the boy say "Stanfield hall—six hours ago." When you said "something's up at Stanfield hall," I did not know what had happened, but I asked the police, and they told me the two Mr. Jermy's were shot dead, and the two females wounded. I saw a great many police, but cannot say how many. They were all armed, and I was alarmed. (Prisoner: I don't wonder at it.) Do not know how many times I had been examined, and my depositions taken down, before you cross-examined me at the castle. I was not on oath at any time that I was examined, except when you were present. Mrs. Bryant asked me if the book was given to me each time, and I said no! She told me that I was not always on oath then—that's the first time I knew it. I believe what I said on the day after the murder, at Stanfield hall, was taken down; but I believe the oath was not administered. I do not think I was then asked whether you had been out or at home during the previous evening. Mr. Cann took the depositions down on the Saturday; I cannot say whether he did on the Friday or not. I had not been with the Messrs. Cann on the Saturday before I was examined, while you were present. Nothing was said to me on the Saturday, that I remember, about the papers, while you were absent. I do not know when I first heard about the papers again after that. The seventh time I was examined was before the coroner, on the day of the funeral. I had not then been examined again since I was examined in your presence. I heard no one say it was only fair that I should be present to hear your statements. The eighth time was on the 12th. It was about the papers. I do not know how long it lasted. [Prisoner: I right feel for this witness; I know she is right fagged out. She is very ill or she would remember things better.]—His Lordship: I do not wonder at it; you have now for five or six hours asked 500 questions, and not five of them have been relevant.—Prisoner: I deny that; I say it is not a fair remark, it is not a handsome remark.—His Lordship: Perhaps I ought not to have said so, but I cannot possibly see the bearing of your questions on the case. I mean, however, to go through and listen to every thing with the greatest possible attention. You are right perhaps in saying, that I should not have said the questions are not relevant.

Prisoner: I see my lord you only want justice. I have not yet even referred to the papers—a most important part of the subject—and there will yet be three hours additional required to go through them. I see poor thing she is ready to drop. Witness: I can go on yet. His Lordship: When the witness says she can go on no longer, we will stop.

The prisoner then went on with a lengthened cross-examination of the witness, relative to the dates of subsequent depositions which she had given, and as to which of those she signed or did not sign. She said—I remember signing those taken before the coroner. Since you cross-examined me at the Castle, I have had all the depositions read over to me at my own request. It was a few days ago. Mrs. Bryant and Mr. John Cann read them. Mr. Cann then said, if there was anything in the depositions which was incorrect, he would scratch them out; but I told Mr. Cann of nothing but the hat and the lining. I did not then tell him that anything was incorrect. That was after I gave Mr. Cann what I wrote out. He was with me while he read all my depositions over. The first depositions about your being out only ten minutes were not read I think. He did not read those taken before the coroner. I have never had them read over to me, except when Mr. Cann read them, and at the Castle. I have had nothing told me about them to refresh my memory. I knew previous to my examination, at the time of the funeral, that the funeral was to take place on that day. Have given parties reasons to suspect what you had on those nights you went out. I caught a glimpse of you once when I first came to Potash, in the house, when you had just returned home in the evening, going into your room with a hat and something like a cloak on. I told Mr. Cann about this, when he called to speak to me about a false rumour about myself. I have often described the different wigs you have in your possession. I don't think I mentioned them at the hall the day after the murder. I was not told that day at the hall, that the man that had been seen, had something over his face.

Sergeant Byles here remonstrated, for the first time, against the questions put—in reply to which his lordship intimated that some bounds must be observed.

Cross-examination continued: I heard nothing in Stanfield hall about the man having a cloak on. I overheard the servants there talking about the man's walking through the passages. I heard nothing else. I was sitting in the cold pantry from three in the afternoon till twelve at night. There was no fire, but the servants were very attentive.—Prisoner: I must know what more she heard at Stanfield hall that night. His lordship: Why she says she heard nothing.—Prisoner: She says no such thing. I have asked her questions enough already about what took place there, to see that there was something more. It is most important for me. The fact is, she cannot recollect to-night. Witness: I can—I remember it well.—Prisoner then went on to complain of her being too fatigued to-night to remember, and attributed her giving a negative reply to several of his questions to that cause. Witness: When I was examined at the castle, the first time, you were hurried out of the room. I was in the room several hours, I think, before you left. You did not cross-examine me the first day. [Prisoner: My lord, you see she can't remember.] Whatever I said was read over to me, and I signed my name to it. You were not in the room at the time I signed it. You were asked to ask me questions, but you declined it. [Witness repeatedly said that she was not cross-examined by the prisoner on the first day at the Castle.] The prisoner: This is a most extraordinary thing. It is a cruel thing, this examination. This witness is not in a fit state to go on. She says I did not cross-examine her at the Castle; which shews she is not in a fit state to remember. His Lordship: A few questions only were asked her about where she had been examined before, and I can well understand that she should not think that a cross-examination.—Prisoner: Do you think, my Lord, she is not capable of judging what a cross-examination is?—The prisoner continually referred to the weakness of the

witness as a reason why the Court should adjourn. Cross-examination resumed. You put no questions to me the first day of my examination at the Castle. [A long and tedious series of interrogations were again put by the prisoner, relative to the question of whether he did or did not cross-examine witness on the first day her depositions were taken at the Castle. He continually expressed his conviction, that she was not now in a fit state to continue in court, under examination, and his lordship again replied, that he would adjourn her evidence the moment she stated her desire to do so.] On the day after the murder I went to Stanfield hall. I recognized Mr. Cann and Mr. Thomas Cann there. I saw them in the kitchen. I did not stay there more than an hour. I went afterwards into the pantry. I was there by myself, and the door was shut. It was about three o'clock when I was there. I sat in the pantry about two hours before I saw any one. While I was in the kitchen, I heard nothing of the transactions of the previous night. The first person I saw in the pantry was a policeman. The servants afterwards came in and out several times. Later in the evening I heard something about the murder; I heard that a man had walked up the passage after Mrs. Jermy. I did not go into the other rooms; I asked to go upstairs, but I could not go. I asked for a cushion, but they could not give me one. I asked one of the female servants if I might go upstairs; it was after dark, and I was very tired. I do not remember ever hearing anything of the dress of the man who followed Mrs. Jermy, nor anything about his having pistols. There were no questions put to me about the pistols.—The prisoner was about to cross-examine the witness respecting the papers relating to the Stanfield hall property, when his lordship suggested that the court should adjourn till the following morning.—An adjournment accordingly took place, at eight o'clock; the last witness having been under examination from eleven o'clock in the forenoon.

SATURDAY.

At nine o'clock precisely, the learned judge entered the court, and the prisoner was immediately put into the dock. His countenance bore the appearance of less excitement than on the previous occasions; but he was, evidently, very thoughtful, and somewhat nervous.

The prisoner complained of one of the witnesses, Mr. Stanley, being in the court on the previous day. His lordship remarked, that it was very wrong, and that the matter should be inquired into.

The witness, EMILY SANDFORD, then entered the witness box. She was less excited than on her first appearance, but still looked pale and weak. Cross-examination by the prisoner continued: I do not remember your coming to the door and knocking, on the night of the murder, and talking with me without going near the bed. I have had a box of vesta matches which you gave me. It was not that night that you gave them to me; it was two or three nights before—I believe on the Friday. [Prisoner: Well, you can say what you like; I see how it is—I put questions to you, and I will have them answered, now that you are more collected.] I do not remember, that night, your saying anything about playing draughts. I do not recollect that I have seen the draught board in the parlour since that night. I did not hear you, that night, mention any body's name. I had my watch with me on the next day, when I was at Stanfield hall, but I cannot say whether I looked at it or not. If I had looked, and found it was not going, I should have remembered now. I do remember seeing two letters at Potash returned from the Dead-letter office, addressed to Mrs. Jermy, at the hall, and to Mrs. Clark, the solicitor's wife; I made copies of them. [Prisoner here produced two copies, and asked if they were those witness made. Witness replied that they were.—Prisoner: I have given the solicitors notice to produce them.—His lordship: You will be entitled to put the copies in, if the letters are not produced when you call for them, that is, if they are not irrelevant. Mr. Evans said he thought they were.]

You came in on the Monday night about the same hour as on Tuesday night. The easy chair stood by the corner of the table on Tuesday evening, when you asked me to come across to sit on your knee. I remember copying a letter from you to the Rev Mr Blake, while in Mylne street. I remember that Mr Blake called and asked about my appearing at church; and he asked whether it was true about you. I have known when we were in Mylne street, our having a good deal of game, after you said you had been shooting at Potash. I told you on the night of the murder, that I thought there was something more than poachers, and you said there was. It was not on Friday night that we talked about Bruce. I do not remember your taking a candle out for Savory on the Tuesday night. (Prisoner: Who told you I said you were going to France.) Witness: (to his Lordship) Am I allowed to bring my family in question my Lord? Prisoner: I want to know where she gained her information about my saying she was going to France. Witness: A brother of mine came and told me.—Prisoner: In bridewell? Witness: Yes; he said you sat by the fire and told it in the coolest possible manner, and very much surprised mamma.—His Lordship: This has nothing to do with the matter. I wish to explain to you, prisoner, for you are not familiar with these things, that whatever comes out in your favour, (and I do not say that you have not brought out many things), the effect of it is very much weakened by your asking all these questions, which at present one cannot see have any bearing on the matter. I will endeavour to remove any improper effect which may be produced on the jury, but you cannot think what harm you are doing by asking these questions.—Prisoner: I should not have the least fear, if I can have out the truth. Unless I am allowed to examine the witness, how can I tell how to frame my defence.—His Lordship: These questions about who told her that you had said something about going to France, are not legitimate evidence.—Prisoner: They are evidence so far as this—to shew that her mind has been prejudiced against me wrongfully, because if it was the last word I uttered, if I were now going into eternity, I never had such a thought. His Lordship: You cannot discuss that any more. Witness, I last saw Mr Postle, the magistrate, two or three days before the commencement of the trial. He told me there was a room ready at the Castle for me Mrs Bryant was present at the time.—Prisoner: May Mrs Bryant leave for a few minutes?—His Lordship: Certainly.—Mr Postle told me nothing about what evidence I was to give, or where I was to live, or how I was to pass my time away after the trial. I have, indeed, no where to go. [Mrs Bryant was here allowed to return.]—Prisoner here asked when the vouchers, receipts, and book to which he had already alluded, were to be produced.—Mr Evans: The book has not been found amongst the papers, but if it is in the bag, you will have the advantage of its being your account book.—Witness: I have, during the last two years, written copies of all your letters for you; I have invariably done so both of letters to Mr Jermy and to other people. I have seen letters sometime since which you told me were from Jermy. I have not seen Mr Jermy's writing, except in that old letter in the draw. I remember your receiving, whilst we were in Mylne street, a copy of an old will of the Rev. George Preston, Mr Jermy's father. I and Mrs Johnson, I believe, signed a memorandum in the inside, as to the way in which you received it. [The envelope was produced, and witness was asked if the signature was her's; she acknowledged that it was.] I remember your writing to Mr Jermy to say you had received it; I made a copy of the letter.—Prisoner: I shall wish to have that letter produced; I have given notice to that effect. If they don't produce it, I shall want to produce the copy. I have at different times seen large bundles of old papers in your possession as to who was the owner of the Stanfield property. I saw a great number of your papers since you left Potash, on the table of the keeping room. It was on the Thursday, I believe; Colonel Oakes and your son were there at the

time. They were there still on the Friday; but neither Colonel Oakes nor your son were there. The police kept them in guard. I recognized a letter from your son to his sister Mary, relative to the mysterious way in which you brought me down a few weeks before. I cannot say that there were any of those there, which related to the estates. On the 27th of November I saw you have a square parchment covered book, but do not remember whether there were the words on the outside—"Isaac Jermy's Executors' accounts, 1753." I do not remember your taking some leaves out of the book, and making a parcel of them. Mr Witherford is the person that came for me on the morning after the murder, two or three hours after you left. Savory was the only person that [spoke to me about what had taken place, after you went away. Witherford said I was required at Stanfield hall, but did not say what it was for. He did not say any thing about my being kept in charge till I had given evidence. Savory went with us. Mr Stanley and a Wymondham policeman took us in the cart. Nothing was said to me about what had taken place, but Stanley said to the policeman, (Futter,) what a shocking thing it was, he had never heard such a dreadful thing in his life. I first saw Superintendent Hubbersty at the hall. He came into the room late in the evening and ordered some tea for me. He said nothing to me about what had taken place. Superintendent Andrews came in with Hubbersty. I saw Hubbersty again no more till the Friday, I believe. He was not with me altogether more than a few minutes in the pantry. I did not get back that night till twelve o'clock. I did not see the charwoman that night. I remember I unfasted my dress myself. I was locked in, and a policeman kept guard. He frequently knocked for me to answer that he might know I was in. I did not see into your room that night. The next morning when I got up, I saw the policeman again; I can't say his name. I saw Mrs Payne, the charwoman, that morning. I do not know how many policemen I saw there. I know Oakley. I do not know whether I saw him that morning Hubbersty came on Friday. I do not know who took me to the bridewell on Thursday, nor who drove me back to Potash. I do not know what time I returned, nor who I saw when I got back. I do not recollect anything that took place that night. On the last day of examination, you said you would cross-examine me if an attorney was there. I don't recollect your saying anything about Mr Cann being your solicitor, and then refusing to be so. On the 14th of December, at the castle, you were desired to put some questions to me through the magistrates. I do not know whether you complained of this. I was told to answer the magistrates and not you. I began to answer you once or twice, but they stopped me. Mr. John Cann did not speak to me. I think you called out to Mr Cann. Mrs Bryant handed me some water, and you thought she was talking to me; and told her if she had anything to say, to speak it out. Sir John Boileau said what Mrs Bryant was talking about. You were violent at both examinations, and the magistrates called you to order. I recollect Mr Larnar, Mr Jermy, and Mr Read coming to Mylne street to sign some documents. Mr Jermy was a long time before he would sign, but I don't know why.—Prisoner: Did he not express fears about the rents being so low, until I assured him that my father and me had had the farms at the same rent, and that I thought the present man (Mr Isaac Jermy) would let him have them on the same terms? Witness: I do not know. After they left, you told me to make another copy. I asked you if they were going to your mother's. Larnar and you said they were going to the farm you used to occupy at Felmingham. The morning after the murder, you were perhaps about a quarter of an hour at breakfast. You asked me if any questions had been put to me. I said a few had been put to me, and you said they had no right to do so. You asked me what questions they put, and I said they asked me whether you were out last night.—Prisoner: Did I not say "I do not wonder at their suspecting me from the way in which we have been living these last 18 months? With

ness: I said I did not wonder their suspecting you, because you had been at variance with Mr Jermy.—Prisoner: Did not you hear me say that if we had been on much worse terms, I could not have been guilty of a deed like that?—Witness: I do not remember any thing of the sort.—Prisoner: Do you recollect my asking the police if any one else was suspected as well as myself, and if any reason was given for suspecting me?—Witness: I do not remember it. Prisoner: What reason did I give for wishing for my cloak?—Witness: You said "I can't go to Wymondham in this manner," your coat being over your shoulders, and you could not put it on for the handcuffs. I said, "There is your old black one in the closet," and then went up for it. I do not remember your asking the police why they had taken the cloak.—Prisoner: Do you recollect my asking the policeman who it was suspected me?—Witness: No.—Prisoner: Did you hear me say that you and Savory could clear me?—Witness: You did make that observation, when you were going away. At breakfast you said, "You know I had my slippers on last night?" and I said, "I do not."—Prisoner: Did you hear me say any thing to the man about Mr. Jermy's being my enemy?—Witness: No.—Prisoner: Did you hear me tell the man some one must have told me the time the affair happened?—Witness: I do not recollect. I recollect Mr Salter coming to Potash on the 1st of December, 1847. I recollect taking 99 sovereigns and a sixpence of you, which you said I was to say I saw you tender to him, (aside to the Judge: but I did not see him offer them.) You said it was a pity I was not in the room to see you tender them. You said you had tendered them, and that I was to say I saw you. I met Mr Salter and you coming from the parlour. You told me to make a little memorandum, and I did so. I never had any conversation with any one at Mr Jermy's, about what was to become of me after. I have frequently asked where I and the baby are to go, and what I am to do, but no one could tell me. I have never received any promise as to the way I am to live, or my future prospects. I have paid away some of the five sovereigns you gave me to buy some little things. I have not employed any solicitor on my behalf. Mr Cann was the first person to whom I applied for the furniture you gave me, and which I claim.—(Prisoner: Oh, I'll ask you some questions about that presently that will quite satisfy you.) I applied to Mr Cann for the things which belonged to me; they have been refused me; your son would not allow them to be taken away; Mr John Cann said you had told your son to refuse them. No one else has told me so. My brother did not apply for my things; he was only with me about an hour. [His Lordship said these questions were not to the point, and that he should take no note of them.] The police said nothing to me on the Friday about what evidence I was to give. [Witness here burst into tears, but soon recovered her composure.] I do not remember how long it was from the time I went to the bridewell to the time I went into the room to be examined. I did not give Mr Cann a written statement. I saw a paper in Mr Hubbersty's hand, but I don't know what it was; Mr Cann ordered a fly for me to go back to Potash. I don't know whether I saw Mrs Payne or Mr Hubbersty. It was about ten o'clock when I got back. On the Saturday morning, the first person I saw was the superintendent who was to take me to Wymondham. The man who was guard over me called me to get up. I knew the people were coming that morning. They were there before I came down stairs. When I went down the Messrs Cann were in the parlour. I sorted some of the papers that morning, but did not find the agreements I had copied; they were found in the cash box.—Prisoner: How do you know that?—Witness: I heard of it when I was examined before you. I was not present when they were found. I do not recollect when I first heard of it. The papers were all brought to me on Monday at the Bridewell.—Prisoner: Did you see anything taken from that place?—Witness: I did not see them taken out, but the hole was open, and the papers were on the table. The first time I was examined before the

magistrates about the papers was in the Norwich Castle. I don't know how long I was examined about the papers the first time.—Prisoner: Have you not had repeated conversations about those papers in addition to your examination by the magistrates?—Witness: No. At the inquest, the agreements were shewn me; he did not refer to anything when asking me questions. Mr Cann was in the room at the time.—Prisoner: You have said that you were accustomed to engrossing. I do not wish to hurt your feelings, but do you not mean by that, your father was a lawyer?—Witness: (indignantly,) I shall say nothing about my father.—Prisoner: On the night of the 5th of October, as I was going to Potash, did I not tell you why I wanted to see Mr Jermy in your presence?—Witness: You did not tell me what it was for. You only said, you wished me to go to Potash to see Mr Jermy. You often talked to me about Mr Jermy's agreeing with you about a lease on the Felmingham farm.—Prisoner: Did you not hear me say that he had promised me the money for three years longer, on the Potash, but that I could not get him to let me have it?—Witness: No.—You always ordered your letters to me to be burned, but I find you always kept mine; you used to say if I would burn yours, you would burn mine; I have not seen my letters to you, but I have heard they have been kept.—Prisoner: who told you that? His Lordship: That is quite immaterial.—Prisoner: I must know who told her.—His Lordship: If you press these things when I tell you that they are immaterial, I must really keep you to the strict line you ought to pursue. Not more than a third part of your questions ought to have been asked; and it is only in consideration of your position, that I have allowed you to go on.—Prisoner: You see, my lord, her feelings have been worked upon. I deny that her letters have been kept by me; let them produce them who say they have them—that's a proof how she has been deceived, poor thing.—Witness: The morning you were taken away, I saw one of my letters in your pocket book.—Prisoner: What letter was that?—[His Lordship here stopped any further interrogations on this head.]—Witness: I have given you my letters sometimes to put on the fire, because you wanted them. I certainly did not prefer it; I have two of the letters now. On the Sunday you were at Mrs. Stacey's, you told me to dine there, and that you would dine at the White Hart. You said you would bring back some wine and nuts. (To the Judge: It was the Sunday on which I signed those papers.) You brought brandy instead of wine, but no nuts. I remember on another occasion you brought some wine. You came to Mrs Stacey's on more than one Sunday. You had always, while in Mylne street, requested me to keep brandy by me, in case of illness.—Prisoner: Did not I on that Sunday tell you, it was for the purpose of your having it in case of illness.—Witness: Yes.—Prisoner: If you ever expect peace after this, did I offer you any brandy then?—Witness: You did. In the course of conversation that day, you told me to tell Mrs Stacey that you were going to marry a rich widow, that she might tell it to Mrs Butcher, and that it might get about Norwich. I did tell Mrs Stacey so. You also told me to tell Mrs Stacey that you were going to be married to a maiden lady, an aunt of mine. I told you two years ago, when you broke your promise, that you would repent of not making me your wife before you died, and that you would never prosper. I told you, you would never prosper after such a promise broken. I have never told you, you should never marry any one else but me, but you repeatedly told me you never would. You told me that I had made you a reformed man, when I repeatedly charged you with being unfaithful. When the conversation took place about its being reported that I was going to be married again, I had no idea you would be married for you told me you were not, though I was to circulate the report. I was not uncomfortable about your being married, for you had faithfully promised you would not marry any other but me.—Prisoner. On your solemn oath, as you wish to go out of this court alive, had you not an idea that I was going to marry another?

Witness: I had not! for when we seriously talked about your being unfaithful, you promised to be faithful. You told me it was a joke. Prisoner: Was not your letter to me about your being uncomfortable on that account. Witness: no! certainly not. I wrote you a letter once in joke saying, when I became your widow, when I got into "weeds," as you told me to do, I should marry another. Prisoner: Your evidence really would make any body shudder? Witness: you know it is true. Prisoner: The Tuesday after the Sunday spoken of, were not my first words—"What a little fool you are, for I would not have the letter seen for the world by my children." Witness: Yes.—[Sergeant Byles produced witness's letter, and it was handed over to Rush.] I recollect crying on your scolding so much; you then asked me to kiss you, and you said you would make it all up, and think no more about it. I gave you the copy as soon as you came, and you tore it up, and put it in the fire. I do not remember that, on the 7th or 8th of October, you said you expected that old Mr. Jermy was from home. On the 10th you told me when we got to the drain, that I could not get over, but I did, and I went to the hall. I do not remember saying before the Coroner anything about it—but I believe I did. You were in the hall a quarter of an hour or twenty minutes.—Prisoner: There has been a paper produced marked C, dated the 10th of October. I now ask what you copied it from? Witness: It is one of the three I wrote at Potash. I copied it from a piece of paper in your hand writing, about the size of the document itself. I have said that I copied it from a rough copy of something in your writing. I was asked before the Coroner whether your name or the name of Mr Jermy was attached to this document before I put my name to it. Mr Sergeant Byles objected to the witness being asked about the paper without its being produced and given to her. The paper was then handed to the witness; the prisoner strongly objecting to her seeing it.—Prisoner: It is most unfair my lord. His Lordship: It is not unfair, but it is a most unjust and absurd thing that she should be asked about a paper without having it in her hand. Now you can ask her.—Prisoner: Let her put the paper from her hands. His Lordship: (to the witness) Keep it in your hands till the question is asked.—The Prisoner then proceeded somewhat angrily with his cross-examination. Witness: I told the coroner, I believe, also, that you said those were copies as well as the leases. I will swear that I signed my name to the paper (C) in your presence at Potash, on the 21st of November. About a week after I went to Potash the second time, you said you had some more work for me to do, some more copies for me to make. I don't think you gave them to me then; but I soon after copied some letters—they are what you referred to, I suppose. I copied those agreements on 2s 6d stamps, which were given to me by you. When I say that a paper was given for me to copy at Potash, I mean that you gave me something which you had written roughly; I did take three copies. I had finished copying them all about two hours before dinner. [The medical attendant here exchanged a few words with the witness.—The prisoner asked her if the conversation related in any way to the trial, to which she replied in the negative.] I stated before the coroner that I asked you if you had succeeded, when you returned on the Tuesday. When you brought me the papers, I put my signature to two of them. I have not said that I signed three, nor yet that you wanted me to sign them. After I had been at Mrs Stacey's a week or ten days, you brought me some writing to do; you took it from your great coat pocket, you told me to write one first, and then told me to make another, and I did so. I have said this in evidence, but I don't know when. I have not written it down. After you were taken into custody, I think I first saw the papers I signed at the examination, I read them at the time. I copied them from a copy of yours—I mean a piece of rough paper of your writing.—Prisoner: Will you swear that you read any papers of your copying, and that I asked you to copy them at

Mrs Stacey's? I deny that you ever did copy them. Witness: I certainly recollect what I wrote about; it was about the Felmingham leases.—Prisoner: (angrily) Did you read it after copying it? Witness: Not after I had finished it. The documents marked A, B, and C, were then handed to the witness. She said, this marked C, is what I wrote at Mrs Stacey's. I swear that the one I wrote about the Felmingham lease is the one I wrote there—the others are about Potash. The first time I saw them at the examinations, they were handed to me one by one; and that was the first time of my having said anything about the paper concerning the Felmingham leases. At the time I signed the papers, I remarked that they bore date the 10th, and that I could not be a witness; when I wrote my name, I saw Mr Jermy's, because you said, "Write it opposite." You told me that I was not a witness; that the papers were only matters of form, and that they would not be made use of. Two of the papers which I copied at Potash were folded up, I think; the last was put in your pocket. I said in my depositions that I asked you if Mr Jermy had signed it, and you said "No." This was when you returned from the hall: it was nearly two o'clock. The paper marked B is one I wrote at Potash. [The prisoner here read over the witness's depositions as already given before the magistrates and coroner, and asked her to be sure to say whether she now remembered differently. [She, however, repeated all she had said, and affirmed it to be correct.]—Prisoner: Has not what you have stated about my signature and Mr. Jermy's been drawn out of you by old Mr. Cann or somebody else, and is it not altogether false?—Witness: No, it is not false.—Prisoner: Will you swear that I ever saw you sign a paper at Mrs. Stacey's that had my name to it and Mr. Jermy's?—Witness: Yes, and you asked me to sign my name opposite the signature "I. Jermy." The prisoner at some length cross-examined witness respecting her deposition as to her signing the document in London. He seemed to wish to make it appear that she had said she signed her name at the time of the parties being present; and several times read the depositions from his copy, putting a full stop in the wrong place, thus making it appear incorrect. His lordship, on referring to another copy, found that he had done so: the prisoner, however, affirmed, that his copy was as he had read it. [The witness here requested permission to retire, which the Court readily granted. His Lordship then handed a letter to the Counsel for the prosecution, which he said he had received from a person named Durrant, as was understood. It is, he said, a most improper thing for people to write letters to a Judge in this way. I dare say the prisoner has a copy. It is essential that both parties should see it and take their own course about it.—His Lordship then suggested that a short witness should be called during the absence of the last witness.

Mr. GEORGE PINSON, being sworn said: I am governor of the Norwich gaol. I was present at the conclusion of Emily Sandford's cross-examination on the 14th of December. I heard the prisoner say, "If she sign that (pointing to the depositions) I hope her hand will rot, and if she bear a child by me, I hope it will be born with a brand on it." It was after I had heard those expressions that he gave me that letter. He gave it to me on January 4th. [The letter was then produced; it is that which was given by the prisoner to the governor to be sent to Mr Cann.]

Cross-examined—I received from Mr Cann a note, which I read to you. [Prisoner requested that it should be put in, which the counsel for the prosecution promised to do.] I produce a carpet bag. I observed this being broken off when you handed it to me. It is in the same state as when you gave it to me, with a hole in it, and the lock broken off. I made notes of what you said at the time of Emily Sandford's examination. I wrote the expressions down immediately. I have the notes by me now. I said something to you on the previous day, about your taking a wrong course. I do not know that any persons placed themselves purposely between you and Miss Sandford; but Emily Sandford saw you.

Re-examined—I was present during his examination. His conduct was violent and abusive; he described them as a set of villains, but my attention was more directed to his actions than his words.

The Court then (at one o'clock) adjourned for a few minutes.

HONOR HOLMES sworn: In November last I was kitchen maid at Stanfield Hall. On the evening of the 28th of November, I went to the bridge over the moat, in consequence of something said to me by Clark. This was about half-past eight o'clock. Near the end of the bridge I saw three young men, named Harvey, Todd, and Howes, and also Clark and Leech. Clark and Leech were servants at the hall. We went through the gate at the end of the bridge, when I heard the report of a gun or pistol. I was looking from the hall at the time, and did not see any thing. We all went towards the Ketteringham gate in the middle of the lawn. Before we got there, we heard two more reports. When we got through the gate, I heard the dinner bell of the hall ringing. Leech and I then turned back. We went into the house round by the bleach way through the stable yard. In doing so we did not cross the bridge. We went into the back door, leaving the shrubbery on the left. [The route was pointed out on a lithographed plan.] Leech went into the house first, and heard Chestney call out, found her at the bottom of the staircase. In about twenty minutes I picked up a paper; it was the one now produced, I picked it up just past Eliza Chestney's feet, in the passage leading to the staircase hall. Some few weeks before the murder I had heard a noise outside the house, like people walking past. It was about eight o'clock in the evening. It appeared like one person [the prisoner noticed that the witness had before said "people," and remarked that one person was not people. His Lordship observed that he would presently have the opportunity of asking what she meant.] The kitchen window looks out towards the front of the house. I once looked out to see if I could see any one, but I could not. A few days before the murder, Clark and I were outside the door, about eight o'clock in the evening, when I observed a light going across the lawn, and apparently a man with a cloak on. He was going towards the Wymondham lodge. He was about three hundred yards from the house. I had about a week before seen a light moving along the lawn, but I observed no figure, it being very dark; Eliza Chestney was with me. I watched the light as far as Wymondham lodge. Cross examined by the prisoner: On the night of the murder I was in the servants' hall before I went out to the bridge. The cook, Read, was with me, and also Eliza Chestney. When I went to the bridge first, I had no bonnet or shawl, and I did not go back with it. No one went back for their bonnet and shawl. Mary Clark told me some one at the gate wanted to speak with me. When I went out, they were standing outside the gate; there were four of them; Maria Leech went out with me. I did not stay there more than three minutes before we left the gate. Leech said she would go back for her shawl and bonnet, but I told her not. Clark was then outside the gate with the three young men. We all left the gate when we heard the report of the gun. I recollect young Harvey being there. I stood next to him when I heard the first report. My back was turned to the front of the house, but I turned round after the gun went off. I saw nothing, but I heard a groan. Harvey said he saw some one against the door, and heard some one. I heard the door bang very loud; it was not so loud as the gun, but it made a very great noise. That was directly after the report of the gun. I had got about 240 yards through the bridge before I heard the next two reports. It was about two or three minutes between the first and second report. I had got up into the drive about 150 yards, before I heard the bell ring. We all of us stopped after we heard the bell ring, and I told Mary Clark to go to the lodge. I and Leech came back. We came as far as the drive gate, and then went across on the grass to the stable. We did not stop a minute after the bell rung. It was about twenty minutes from the

time I left the bridge to the time when we arrived at the hall. We did not go into the stable-yard door, but the side door. I went up the passage first. Eliza Chestney called me when I went in. It was about three minutes after I saw her that I saw the paper. I had not seen Watson before I saw her. I did not hear that another paper had been picked up. I heard that there was another when Mr Stanley came in. The paper I picked up was close to the staircase. I heard of Watson's picking one up, and throwing it down again. Chestney was taken upstairs in half, or three-quarters of an hour after I picked up the paper. I heard the two reports quite plain. I gave the paper to Mr Clark, about half-an-hour after I picked it up. I have never had it in my possession since. When I was out by the gate I did not see any one about, except the people I was with. There was a light in the window of the passage leading into the butler's pantry. I did not see anything move from the porch past the light. I did not pick up any pieces of lead in the hall, and I do not know that the other servant's did. I saw Miss Sandford the day after the murder, in the cook's pantry. She came into the servant's hall. That was on the Wednesday. I saw her go into the housekeeper's room, at three o'clock, to be examined. I did not see her come out of the housekeeper's room. She stayed till past ten o'clock. I was in the servants' hall. She was alone in the cook's pantry. She told me she appeared very faint, and I gave her some tea. She asked me how Mrs Jermy was, and how the servant was. I did not hear her mention your name, except when she asked if you were at the hall. I did not see any one else with her. I do not know whether Mrs Harvey went into the room where she was. I have not seen her since. I have heard that you lived in the Stanfield Hall Farm (Mr Colman's.) We have not the Norwich papers at the hall to read. Todd, Harvey, and Howes, used to come to the hall sometimes, but never came under the windows or to the doors. We used to know when they were coming.

By Mr Evans: We all turned round when we heard the report, and ran towards the hall. When we heard the second report, we were about 140 yards beyond the drive gate. We did not hear the bell ring, before we were inside the drive. We heard the two reports, and then the bell ring. I heard three reports altogether. We were about 250 yards from the bridge, when we heard the second report. In going from the bridge gate to the drive gate, we went along the road. The last two reports followed one another almost immediately.

JOHN STANDLEY was then called. When sworn he said: I was at Stanfield hall on the evening of the 28th of November, about nine o'clock. The paper produced was given me by Watson, the butler.—By the Prisoner: I was at my brother's, at Wymondham, when I first heard that anything had happened at the hall. My servant was the first who told me of it. No one went with me to the hall. I passed Mr. Samuel Cann on the road, standing by his fence. When I got to the lodge, I went into the gate directly. I did not meet any one from the lodge to the hall. If any one had been on the drive, I don't know whether I could have seen them or not. I saw nothing of Mr. Colman. In going from the bridge to the stable yard I did not see any one. I did not look in the direction of the porch. I was the first at the hall from Wymondham, except Mr. Vaughn. I saw Mr. Jermy lying in the porch about five minutes after I got to the hall. I had not heard of it before. I did not see Pont then. Watson had not then given me the paper. When he gave it me, he said he had picked it up in the passage leading to the servants' hall. After I heard of what had happened, I left Wymondham in about seven or eight minutes. I was with Mr. Candell Clark, at his office, at half-past eight, and in about a quarter of an hour, or twenty minutes, I heard of what had happened; I heard it at my brother's. I then ran home, and got my horse, which I had to saddle myself. I rode to Stanfield as quickly as I could. I did not hear Watson examined in the brown

chamber that night. I heard him say that the man who fired the gun was a low stout man. I did not pick up any pieces of lead in the hall.—Prisoner: Now let me ask you (and I hope you will answer me with the importance which the matter deserves) from what you have heard that night, with the exception of one one's being seen at the hall—supposing the parties who had shot old Mr Jermy had gone into the hall door, and shot the young man; and had gone out, without any one seeing him—from the law-suit which had with Mr Jermy, and the way in which you have heard of his opposing me in my certificate, and my settlement with his creditors, and being turned out of the farm, (for you had the valuations and so on) would you not have suspected that—His lordship: Really, we must keep within some bounds. Prisoner: (to witness) Has not that, in some measure, influenced your opinion, that it—His lordship: Really, you must not ask such questions at all. I know that a pamphlet has been circulated, respecting your disagreements with Mr Jermy. I do not know, as an agent of Mr Jermy's, that you were not paid for some turnips. The judge here again remonstrated with the prisoner, or asking such irrelevant questions, and Rush at once declined to say anything further.]

JESSE WHITE was then called. He said—I am an accountant, living at Wymondham. I have known the prisoner ten or twelve years. He was at one time an auctioneer and valuer, at Wymondham, and I acted for about four years as his clerk. He used to make inventories, and I copied some. I more generally copied papers in his writing relating to his business. I have often him write a great many times. Since he has left off being an auctioneer, I have seen his writing, but not very frequently. I left off doing much writing for him, after December, 1842. The letter produced, and the signature, is his writing. (This was the letter sent by the prisoner to Mr Cann.) This also, I believe to be his—dated the 25th of April, 1848, (this letter was not read,) and that letter to Mr Read, dated the end of October, 1848, is his writing also. The body of his document too is in his hand-writing. (This was notice, signed the 12th of October, 1848, by Thomas Jermy.) These three notices also, (dated the 3rd of October, 1848; 26th of October, 1848; and — day of October, 1848, were the prisoner's signature. The papers A and B, bear his signatures too. These papers (those found in the hall) I have seen before, and examined them carefully; I believe them to be in the hand-writing of Mr Rush.

Cross-examined—I believe those papers (the papers found in the hall) to be in your hand from certain letters; the “J” in one paper, and “F” in both. They were made in the way you usually form your characters. Prisoner here asked for Counsel to allow him one of his letters, in order to institute a comparison. He then handed it over to witness, and asked him to shew where there was a J that was similar to the one in the paper.—Witness marked two J's in the letter which he thought similar to that in the paper.]—Witness: There are none so striking in that letter as have been in others. The capital “P's” are also like ours. Some other letters were here produced, and several characters were marked by the witness.—Sergeant Byles said that both papers and letters would be put into the hands of the jury.—Prisoner (after examining the letters and papers:) Well, if he can wear to that, it's more than I could. [He here laughed contemptuously.] If he swear to that, God Almighty forgive him; that's all I can say.—I did not write for you last Lent assizes, when the trial was for breach of covenants. I wrote a whole day for you, besides copying a part of the manuscript of your brief. I had done none for three or four years before. I will swear I believe these papers to be your hand-writing. I saw a bundle of your letters, about a fortnight ago; but before that it struck me that these papers were written by you. I had not heard that you made application for me to come here and write for you.

By Sergeant Byles: The “p” in “property” is such like the prisoner's writing. The “y” in “Jermy” is also something like his writing, but I could not be

so certain about that. The writing is not as he usually writes, but as I should think he would write in a feigned hand. What I judge by, is the general character of the writing.

Mr. THOMAS JARROLD was next called.—I am a bookseller and stationer. The prisoner has occasionally dealt at our shop. In 1844, we made some sets of mercantile account books, “for teaching children book-keeping.” They consisted of three large ones and two small ones, [a set were here produced.] The marble covers were of different colours. The covers consisted of three sheets of paper pasted together. Two sheets is more common with such covers. The larger sets are a ledger, a bought ledger, and day-book. The ledger and bought ledger have a plain fly leaf, but the day book has none. In all the day books I have observed that the lines of the first leaf have made impressions on the inside of the cover, [a day book was handed to his Lordship, who said he observed some impressions on the cover corresponding with the lines of the first leaf.] In some of the other two books the impressions are slightly perceptible. The two books produced, found at Potash, are two of the large set, the ledger and a bought ledger. The two covers produced (those found at the hall) are of the same description. There is a place in one of these where there has been a label; it is of the same size as the label on the books found at Potash. In one of the papers found at Stanfield, I can see impressions of lines the same width as those of the day-book, which is an unusual width. Being for schoolboys, the lines are wider than for ordinary accounts. I have examined these covers (those found at Stanfield) and have no doubt that they form part of the same cover. I believe them to be the cover of one of the sets of books made by us. I should think that it was a day book by the lines.

Cross-examined by the prisoner.—In 1844 we made a lot of a hundred sets like these, and some years before we made another lot, but the label was larger in those than in the others. We have by us now about a dozen sets. We have usually sold them to schoolmasters. I examined several of the day-books remaining, and find the faint impression of lines in the covers of all of them. I do not know that you always had a bill for what you purchased. You had an account in our ledger extending over several years, but there is no entry of the sale of these sets of books to you. All the labels are of the same size. I have not measured them. [Prisoner requested the witness to cut out a piece of paper, the size of the labels of one of the day books, that it might be compared with the size of the place from which the label appeared to have been taken on the paper found in the hall. When witness had cut it out, the prisoner handed him the cover from which the label had been torn, and requested him to cut out another piece of paper, that the two might be compared. He said he was certain it was impossible for him to cut a piece the size of the label of the last cover, to match in that of the other. [His Lordship said it would be impossible to cut one with any degree of exactness, as the place was torn and irregular.] The prisoner: Then it will be impossible to see whether the size of the two is the same. [His Lordship: That is a very proper remark for you to make to the Jury, but it cannot be discussed now.]

Samuel Bignold, Esq., Mayor of Norwich, was then sworn. I knew the hand-writing of the late Mr. Isaac Jermy. The signatures appended to the documents marked A, B, and C, are not, I am convinced, in his hand-writing. [The prisoner: My lord, I have never said they were Mr Jermy's writing, and never thought they were.]

Cross-examined—I never saw those documents until I was examined at the Castle. I believe they are not his characters. The J in one of them is not like his; I never saw him write it in that way. In the document B, the signature is more like Mr Jermy's, it appears like a tracing. I have never heard any observations on the signatures appended to the mortgage deed. [Prisoner here inquired whether, when the mortgage deed was put in, he might compare the

signatures, as he understood Mr Bignold to say, that he had never seen Mr. Jermy make an "I" like that in one of the documents. His Lordship replied, that he should have the opportunity of making the comparison.

Mr. C. CLARKE produced the mortgage deed referred to.

MARY ANN DOE deposed, that that was her handwriting to the mortgage deed produced. She saw Mr Rush and Mr Jermy execute it. Rush compared the signature of Mr Jermy appended to this deed with that containing the I referred to by Mr Bignold, and stated that he should like the jury by-and-bye to examine them. By this deed the principal was payable in November last.]

EMILY SANDFORD was then recalled, and her cross-examination continued: she said:—I recollect saying that the three documents I copied were alike, except the latter part which you told me to leave out. I was not stopped by my observations in making that statement. I have stated that I wrote all three in the morning after breakfast. You gave them to me to do. —Prisoner: That's as you say, we shall hear about that by and bye. Witness: The papers I signed on the 21st of November were on the table. I have not said they were brought to me in the afternoon. When I came into the room you were sitting at the table writing, and you asked me to put my signature to the documents. I signed two papers; there were several others on the table. You occupied the chair, and drew back, while I signed my name. You afterwards signed one of the documents. I did not say before the magistrates that I have signed three.—Prisoner: You did, (prisoner here read the depositions to the effect that she did,) and then continued:—Can you solemnly swear that I ever saw you sign one which had Mr Jermy's signature? Witness: I could recollect if I saw the paper to it. I cannot swear whether Mr Jermy's name was there or no, for you folded the paper so (but half open.) His Lordship to the prisoner: I understood you to say that she said before the magistrates, that she signed three. Now it is not so.—Prisoner to witness—You have said so many things, that you do not know what you have said. But you never saw me sign a paper that day in which Mr. Jermy's signature appeared? Witness: I cannot say that I did. Prisoner to his Lordship: my Lord have you put that down? if not, please 'to do so: His Lordship: But she has told us that she could not tell, for you held the paper but half open. I have not in my letters to you, directed them in several different hands, so that you could not tell who they came from, till after you had opened them. I can, I believe, write three or four different hands.—I have not omitted any material evidence, as to the reason why I wanted to go to Stanfield Hall. I only wished to be with you. Nothing was said about Mr. Jermy's calling me a French doll. You wished me to remain in the gig. I have never told any one that I went into the hall. Prisoner: Why did you so much insist upon going with me. Witness: You know very well it was to accompany you; I had no other reason.—Prisoner: It is a mystery to me, that tale! Witness: I did not know that you were not going to drive me to Norwich, till you said I should go by rail. Afterwards you said Savory should drive me. I have a square wooden box with "George Preston" written on the outside, which you gave me; I do not know what it was used for. There was a cash box fastened inside it by your directions, when I was in London, to keep my money in. You gave me a gold watch at Mrs Stacey's to take care of, and I have it now. Since I have been living with you, I have had no money given to me except what I had for music lessons. You gave me five sovereigns at Potash. I paid for the bed and some other things we had in London with your money. You gave them to me to furnish the rooms with. I had a receipt for the money I paid for the bed; that I will swear. [A receipt was handed by the Counsel for the prosecution to the prisoner, who gave it to the witness.] This is the bill I paid; my landlady saw me pay it. The bill was made

out to the wrong person. I have never bought anything for myself except wearing apparel and other little necessities. There were bills made out to you in the name of James. You sometimes went by the name of James, and passed for my uncle. I have never altered "Mr. James" on the bills to Mrs. James. You used sometimes to introduce me as Mrs. James, and said that you were purchasing things for me. The prisoner handed a bill to the witness, and asked her if the "s" following the "Mr.," was not added by her, in a different coloured ink. Witness looked at the bill and said, if the "s" had been added, it was not done by her.—His Lordship: You cannot ask such questions until you show me how they can be relevant; *prima facie* they are not relevant at all.—Prisoner: Do you not know that the sofa, bed, and other things were paid for out of the 99 sovereigns and the sixpence which my mother left for Salter? Witness: You gave me the money, but I did not know where it came from. You did say you were going to get money and set up business in London.—Prisoner: I won't ask her any more questions; it is of no use. I shall resume my seat. Witness accordingly retired at twenty minutes after five o'clock. Her cross-examination yesterday and today having occupied upwards of fourteen hours. During the whole time of this tedious interrogation, witness gave her evidence very calmly and clearly, without the slightest appearance of equivocation. The prisoner also preserved his temper, and with some few exceptions, put his questions with comparative coolness and deliberation.

PHILIP BOUGEN sworn, said: I arrived at Stanfield hall at about twenty minutes after nine on the night of the 28th of November. I produced a ramrod which I found in the passage leading to the stair-case hall, just in the lobby, against the spot where young Mr Jermy lay. The hall on the opposite side had shot marks. Young Mr Jermy lay part in the hall and part in the passage.

Cross-examined—I do not know the difference between Stanfield hall time and the railway time. I know the time I arrived at the hall from a gentleman's having pulled his watch out just before I left Wyomondham in a fly. I saw Mr. Jermy, but do not know if any one else had seen him. Pont, Kemp, and Secker were with me. When I got out of the fly, I had not heard that Mr Jermy was lying in the porch. There was a light in the ante-room. It was a very dark, windy night. Watson gave me no description of how the person was dressed. The ramrod was just in the passage.—By the judge: The ramrod has been a little bent since I have had it.—Prisoner: I should just like to look at it. I have seen an account of it in the papers. [It was accordingly handed to the prisoner, who inspected it for a minute or two and then returned it.]

WILLIAM BAILEY sworn: I live at the Kettingham Lodge, Stanfield Hall. In November last I was in the service of Mr Jermy; in the afternoon of Friday, 24th November, I came home, and found Mr Rush there. I had some conversation about some corn that I dressed for him, for which he has not paid me, and the money is due now. He asked me how much corn I dressed for him; I told him how much, and he said it was quite right, and that he would settle. He asked me if Mr Jermy and young Mr Jermy were at home. I told him they were both at home, when I left off work. He said nothing more about the corn.

By the prisoner: Nothing more was said about the corn than what I have stated. You have paid me for some corn I have dressed; you paid me for 60 coombs and three bushels. Solomon Savory went with me to dress the corn. Before I left, you did not tell me what I was to dress for you. After I came home, you said 114 quarters of the corn was for another man. Nothing was said about it when I was dressing it. The 60 coombs and three bushels was put by itself, and that I was paid for. You told me you would settle with me for the whole of the corn. You did not tell me, when you called, that you were going up to London in a few days. On Tuesday, the 28th of November, I was planting shrubs. I left off work

out four or five o'clock, when I went home. I stayed at home all night; no one was at home when I got there. The cook Read told me what had happened. She came down to our house and told me. I saw Mark, but she did not know what was amiss. I saw a stranger about the lodge.

ELIZABETH COOPER, sworn, said: I live at East Carlton. I remember the 28th of November, the day of the murder. I was on the afternoon of that day, between four or five, near the Ketteringham lodge, coming from Stanfield hall. I was in the drive, and I told Mr. Rush going towards the hall, inside the lodge gate. He asked me if I belonged to the hall; I said, "No, but I have now come from the hall." He asked if Mr. Jermy was at home. I told him I saw them about half an hour back, where the men were waiting. I went on, and Mr. Rush turned back and showed me for a short time. When I had got through the gate, I turned towards Carlton. He asked me again if I belonged to the hall; I told him no.—By the prisoner: I saw Mrs. Bailey when I saw you first. She is just opposite the lodge; you were on the road, more than fifty yards from the gate. I did not see you speak to Mrs. Bailey. I never looked back at you, you followed me, and called after me. I never saw Mrs. Bailey away from the spot where I saw her first.

CHARLES B. COULSON: I keep the Cringleford gate, between Wymondham and Norwich. I remember Mr. Rush's coming to the gate a week or ten days before the murder, and asking if the Mr. Jermy's had come home. I believed he made only one inquiry that day. He inquired the same again about a week after that time. It was between half-past three and five o'clock that he made the enquiries. By the prisoner: I have said the same now as I have said before. I am not positive whether the first inquiry was ten or twelve days before the murder. The second was on a Saturday evening. It was not a week, more than a week between the two inquiries. Witness's depositions before the magistrates were read.]

JOHN CHAPLIN: I am gate-keeper on the railway, the Cringleford crossing, on the road from Stanfield to Norwich. I saw Rush on the Saturday before the murder, about eleven o'clock, I think. He asked me told Mr. Jermy had been through that morning, and said "No." He asked if that was the way he came. I said, "Yes, at times." Prisoner said it was unnecessary for him to cross-examine this witness.

FREDERICK WILLIAM HOWE, sworn, said—I live No. 1, Marble street, Greenwich. I was formerly clerk to Mr. Waugh, of Great James' street, Bedford square. [Witness here looked over his papers, and looked somewhat confused.] He said, this is a fresh witness, my lord; I never heard of his name before the other day. I should esteem it a favour, as there are plenty of other witnesses, if this witness could be put off till Monday morning. I never heard of his being brought forward till the learned counsel mentioned it in the opening of the case. He mentioned a most important thing that he was going to speak to, and, in consequence of that, I have received a letter on the subject. His lordship: If you like, the cross-examination shall not come on till Monday morning. Prisoner: Thank you, my lord. [The witness proceeded:—]

December, 1847, I was in company with Mr. Rush, Catherine Street, Strand. There was something said about boxing. We were at some refreshment rooms, kept by a man named Jessup, and a fighting man came. Mr. Rush asked who he was. I said Samuel Wymonds. Prisoner then took up a glass of claret that was before him, and said if he could strike like him, he would knock Jermy down as he would a bullock. He addressed this to me. In the beginning of 1848, I believe it was, the prisoner called at Mr. Waugh's office. There was an action then going on in which Mr. Waugh was concerned for Mr. Rush. The action was one of ejectment; the prisoner and I talked about it on this occasion. Mr. Waugh was out when Rush called, and I was walking with him down Great James' Street. He said it will not be

long before I serve him with an "ejectment," or "before he has an ejectment for the other world." He was speaking of Mr. Jermy. I have frequently had conversation with Rush when he was a client of Mr. Waugh's. He always appeared in the office as a man who would do towards another against whom he was engaged in law. His expressions were of an unfriendly character, but without anything of violence.

ALFRED B. ATKINS: I am assistant clerk at the Wymondham Railway Station. Some two or three months before the murder I saw Rush at the Station. He was on the way to town. He took some pamphlets out of his portmanteau and gave them to me. They were all the same. I gave one the same evening to James Skipper, of Wymondham. They related to some trial at the March Assizes.

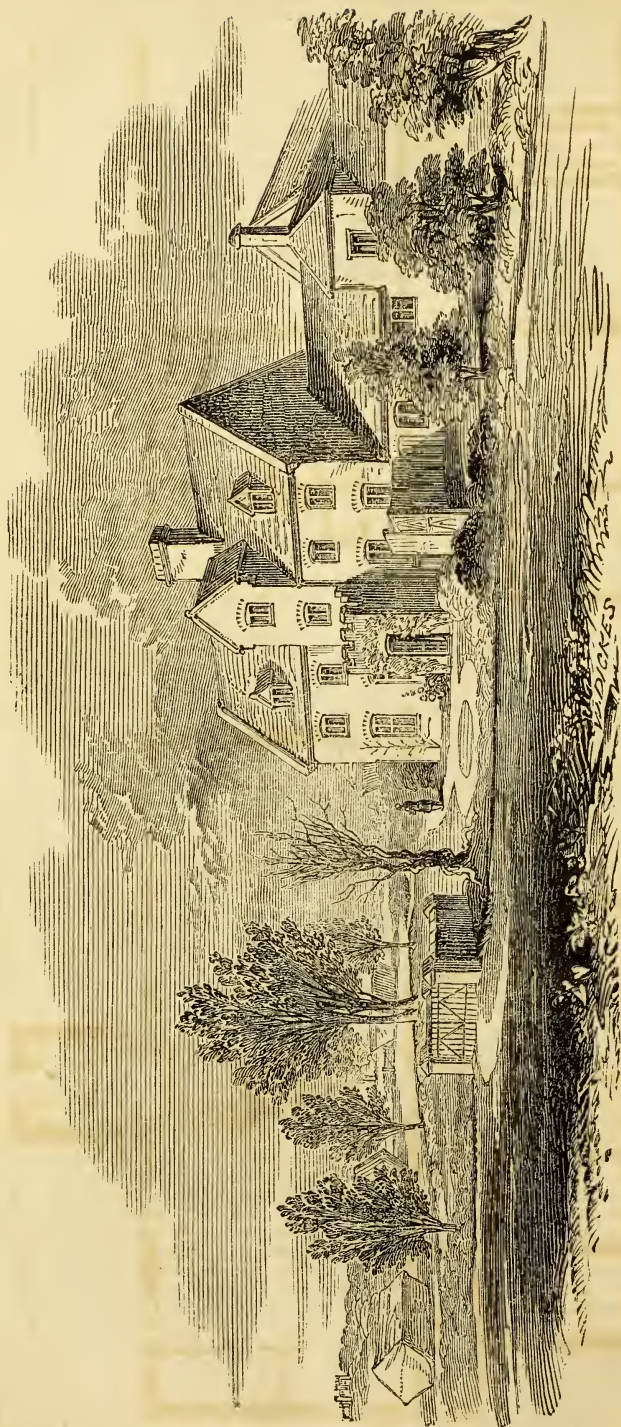
JAMES SKIPPER: I live at Wymondham, I produce a pamphlet I received from Alfred B. Atkins.

ROBERT SMITH: I was in the employment of Mr. Rush. I remember Mr. Jermy being killed. I laid down some straw on Mr. Rush's farm by Mr. Rush's desire. I know the way across the fields from Potash farm to Stanfield Hall. When you get through the loke you go into the field. I scattered straw along the loke on the path, on the bank, half-way in the 15-acres, and in the worst of the places where it was dirty. I laid the straw down on the Tuesday, the day of the murder at noon time. I had not laid straw down there on the Friday, but there was some there before.

Cross-examined: I remember the workmen being in the turnip field that day, and besides them I know there were some who were carting straw to cover the turnips and beet-roots up. You were then with the men, and as the carts came past, you ordered some to be pulled off for the worst places. I was keeping crows in the twenty acres, which comes down to that place. I laid down thirteen or fourteen fork-fuls, in the worst places. I remember it was very bad walking just into the fifteen acres, for 100 or 120 yards, it was quite impassable. I afterwards went into the twenty acres, after the crows again. There had been straw littered on the path ever since the pigs went backwards and forward to "shack" the beans, just after harvest. I have driven the pigs there, and found the headland and road by the side of the bank so bad, that nobody could walk there. You walked on the bank when you went to the people, and then walked to them across the headland. I never received orders from you except on that one occasion; it was your son that employed me, and he was out then.

Re-examined—The 15 acres is the last field in the farm. There were turnips in that field, and I do not know that there was any reason for going through it. It leads no where but to Mr. Jermy's hall. Any body that lived at Potash could go to the hall that way, but nobody else.—By the prisoner: There was a great deal of straw from the 20 acres up to the loke, and it had been there ever since harvest. No one could go out of the 20 acres into the loke without seeing that it was well littered.

WILLIAM FUTER—I am one of the county police. On the Friday morning after the murder, I was at the Potash farm. I took the time of the clock there, and on the same day I took the time of the clock at Stanfield hall. Mr. Rush's clock was a quarter of an hour faster than the other. I went from the hall to the farm across the fields. On leaving the hall, I went across the lawn, and over two bridges. After crossing the second bridge, I went through a gate at the left, and turned to the right along the pasture. I then came to another gate leading into a ploughed field. I got along the field on a bank with grass on it. On coming to the end of the bank, I went across a ditch by means of a tree, I got into a turnip field. The straw was laid over the dyke. For thirty yards I walked on some ploughed land, when I came to a bank, with straw on the top of it. At the end of the bank I came to a gateway, and from thence I went along the road.—By the court: There was a small interval between the bank and the gap, uncovered with straw.—By the Prisoner: It was on the first of December, when I compared the two clocks. Oakley was at



POTASH FARM.

The floor plan is oriented horizontally. On the left side, from top to bottom, are the Pigsty, Pen, Dairy, Larder, Coal Cellar, and Privy. A central vertical corridor contains a 'Stair to servants' room. To the right of this corridor is the Best Parlour, which has two closets. Further right is the Living Room, which has a 'Stair to chamber' and a fireplace. Adjacent to the Living Room is the Store Room and the Pantry. The Kitchen is located below the Living Room and contains a 'Copper', 'Oven', and 'Sink'. The Scullery is situated between the Kitchen and the Porch. The Porch is at the bottom right. On the far left, there is a Yard with a Pump House, Buck Bin, and Coal Cellar. A 'Stair to granary' is located near the Pump House. The plan also shows a Flower Garden and a Garden area on the right side.

GARDEN

FLOWER GARDEN

Potash Farm with me, but I do not think he compared the time. I saw King at Stanfield hall. I do not know how the clocks were as compared with the railway time, I have not heard my depositions since my examinations. I do not know that I gave evidence on my second examination, different from the first. To the best of my knowledge I spoke the truth. I could not tell whether the straw was laid on the ground more than a fortnight. I did not see that the muck was six or seven inches thick. The straw might have been laid on a fortnight. To the best of my knowledge, there was no straw in the first field I came to. [Witness's depositions where here read, the prisoner observing that he (witness) swore most falsely. He urged that he said what he did only to show that the straw was laid down for people to walk on from Potash to the hall.] I could not see any bean stubble in the field where the turnips were. I should know a bean stubble from a ploughed field. I did not observe the corner of the field as I got over. It was five minutes to nine when I was at Stanfield comparing the clocks, and it was ten minutes after when I was at Potash. I was a quarter of an hour going. I compared my watch with the Stanfield hall clock before I left; it agreed exactly with it. When I got to Potash my clock was ten minutes past nine and the Potash clock a quarter past. There was a quarter of an hour difference between the two. [This witness made so many different statements, as to the time of the Potash clock, that the court ordered him to stand down.]

Mr COLMAN: I am a farmer, and hold the Potash farm. I know the fields lying between the Potash farm and the Stanfield-hall farm. I have seen the prisoner crossing them. I once met the prisoner in the seven acres, going to Potash. He told me he had come from Stanfield hall. I saw him pass over into the fifteen acres. I think it was in September, last year, when I saw him. There was a boy of mine he had stopped from his work in the fields, with whom he was talking. He said to me, when he got up to me, "You must not be angry with the boy for stopping, for it is my fault—he is an old servant of mine." I have measured the distance, that way, from Stanfield hall door to the Potash door; the distance is seven furlongs.—By the prisoner: In measuring the distance, I went over the gap, into the old seven acres. I went down the fifteen acres, on the bank where the straw was littered. The field was ploughed. I do not know whether there was bean stubble there. There is a little corner in the field, where there was a bundle of straw. I do not remember seeing pigs "shacking" there. It was during the day that I saw you walking. Unless I knew the road I should think it would be dangerous for me to walk it at night.

The Court here (at half-past seven o'clock) adjourned to Monday morning. As the Court was rising, his lordship observed, that the case for the prosecution would possibly terminate on Monday, and reminded the prisoner that he ought then to be prepared with his defence.

MONDAY.

THE LEARNED JUDGE took his seat this morning shortly before nine o'clock. At this hour the Court was much less crowded than on previous mornings, and its general appearance, if we may except the presence of a very numerous body of reporters for the press, gave no indication of there being more than ordinary interest in the proceedings. The prisoner entered the dock a few minutes after the Judge had taken his seat. He seemed even more collected than usual, and proceeded in a most business-like manner to arrange the papers before him. Shortly after his entering the dock, his Lordship, addressing him said: Prisoner, a letter was put into my hands on Saturday, relative to the witness Howes. Since that time another letter has been placed into my hands respecting him. It is certainly a very improper thing to address letters to Judges in this way. I have, however, shewed the letter to the counsel for the prosecution, and I now hand it to you. I don't know whether it will be of any use or not.—Prisoner: (after looking a

moment at the letter) my Lord, I have had very many letters like this, and I hope you will postpone the cross-examination of this witness for a short time. I have had just now a note put into my hand about him.—His Lordship at once consented to a postponement of the cross-examination of the witness.

GEORGE PONT was then called. He deposed as follows: I am one of the County Police. On Tuesday, the 28th of November, I arrived at Stanfield hall about half-past nine o'clock. I saw the bodies of the Messrs. Jermy before they were removed. I saw where the body of the young man lay; near that spot I picked up five slugs. They were on the side of the body towards the staircase hall. [The slugs were produced and handed to his Lordship, who remarked, that they would more properly be described as irregular pieces of lead.] Some more police arrived about ten and some of them with myself went to Potash farmhouse. We got there about half-past two, and arranged ourselves at intervals near the house. About three o'clock, I heard a dog bark in the back premises. Solomon Savory was the first person who came down he had a light with him. He came from the lean-to at the back of the premises. He was going towards the back kitchen with a lantern, he went out of the sight for a minute, and shortly after returned towards the stable. I then sent him with a message to the prisoner, and he returned to me with an answer. I sent the prisoner a minute or two after in the kitchen. I went in and said, "You must consider yourself a prisoner, on suspicion of having murdered the two Mr Jermys last night." I handcuffed him at the same time. He first said, "the two Mr Jermys murdered!" and then, "I don't like these, (meaning the handcuffs,) God knows I am clear of that." I searched him, and found some keys, which I afterwards gave police officer Futter. I also found a sovereign, half-sovereign, and 13s. 6d. in silver, which I gave over to the prisoner. Besides the three keys I have mentioned also found fourteen others. I found also a pocket-book, with a cheque in it, dated 25th November, 1848, by a man named Candler, on Gurneys', in favour of the prisoner, for £49 10s. On the date, 20th September, 1848, in the pocket-book, is the entry, "Potash interest due—principal due 30th November, 1848, and on Friday, October 27th, "Called on Jermy, and has found out that I am in earnest at last." November 21st, Tuesday, "With the recorder in the morning—agreed to see him in the afternoon." Sergeant Byles handed the pocket-book to his lordship, observing, that on the 30th November there was an entry pencil which he could not positively read, but the meaning of which he could conjecture. His lordship looked at the entry, and said he thought it could be deciphered with certainty.—Prisoner: There is nothing, my lord, which I shall request. I have requested over and over again that I may have the pocket-book: it is most important on account of the memorandums in it and the dates. Several things have been brought forward which it is impossible for me to know about, unless I have the book or a copy of it, I don't care which. I have applied for it over and over again, but I never could have it.—Sergeant Byles: You may have it now.—Prisoner: thank you. I also found a white pocket handkerchief upon him. I afterwards went upstairs with him; his door was locked, but I unlocked it with one of the 14 keys I had taken from him, and entered he pointing out the key. I went to a closet in his room, which was also locked. He pointed out the key of the closet also, and I went in and found two double-barrelled guns. I gave them over to the officer Thompson.

THOMPSON was called and proved receiving the guns, which he now produced, from witness; he said also that he unloaded the guns. They were loaded with mixed shot, and capped. After drawing the charge he re-loaded the gun. [The prisoner supposing with some others in court, that witness took out the charge and put in another, laughed heartily.] He had the same charge in which he took out of the gun. He had measured the barrels. One was 26 inches long and the other 31. He found on the bedroom mantelpiece

see a box of bullets and caps (produced.) I took the powder from one gun. [The prisoner here requested that the charges might be drawn, as he had never seen what the charge was. This was accordingly done, and some of the shot were handed to his lordship and the prisoner.—His lordship observed the charge was composed of shots of different sizes.]

POTASH was then re-called and his evidence resumed. He said, I found a powder flask in the closet and in a drawer in the bedroom, and I also found a shot bag, but I did not take charge of them. I said to the prisoner, "You used to have pistols." He answered, "I used to have pistols, but I have none now." I went with the prisoner, about seven o'clock, to Plymouth bridewell, in a pony and cart. On the way the prisoner said to me, "Is there any one suspected besides me?" I said I did not know. He said, "I have been on better terms of late with the old gentleman than I used to be, but the young one and I did not get on." He also said, "I think it was the last time I was at the hall, that I told the old gentleman I would not sign (as I understood the word) while the young man was in the room. The old gentleman told the young one to leave the room, but he said, 'he thought he had a right to remain in.' He so remarked, that he had called at the lodge, to ascertain if young Mr. Jermy was at home, as he thought he was at Norwich at the concert; but finding he was at home he did not go; if he had gone, I should have got there about eight o'clock, as that was the usual time he got there. He added, "If I did, this occurrence would possibly not have taken place; but that I cannot say." He twice said he was sorry for them. This was on the Wednesday. In the evening of the same day, I examined the clocks at Potash and at the hall. The Potash clock was the fastest by a quarter of an hour. I had a watch to go by. From the time I apprehended him in the time he was lodged in bridewell, he was in my company, except at the time he got his breakfast, when he was in Osborne's charge. I heard him say in his bedroom before breakfast—"It was about eight o'clock some of you say, when this took place." Mortar (an officer) said, "It was no one said it but myself." Amis was there as well. I asked Savory the same morning for his master's boots. He shewed them to me in the back kitchen, (produced.) They were wet when I found them. They are now dry; in this exception they are the same as they were then. I produce another pair which I found under the bed, they were dry. There was another pair of stout boots in the wash-house also dry; and a pair of patent leather boots under the bed. These four pairs were all I found. One pair only was wet. I went from Stanfield hall to Potash yesterday, and it took me fourteen minutes.

Cross-examination—Those pieces of lead have been in my possession since I picked them up. There was light when I found them; I picked them up a short time after the ramrod was found, I was not present when the ramrod was picked up. I was not in the brown parlour when Watson was examined on the night of the murder. I got to the hall about twenty minutes past nine o'clock. Amis and Mortar went up into your bedroom with you and me to search the place. I unlocked the closet door, a few minutes after we were in the room; was, perhaps, rather more than five minutes. I went to the closet and examined it; no one else was with me. I handed the things out to Thompson. I believe I told Mortar to search round the other part of the room, while Amis and I were about the closet. I do not recollect seeing a carpet bag in the closet. [Prisoner requested, that if any witnesses were in court they should retire.] We were about a quarter of an hour searching the closet.—Prisoner: Remember, but, it is an awful thing for you to stand there, and I hope you will speak the truth, for the sake of your peace of mind hereafter. Witness: To the best of my knowledge, I shall.—Prisoner: Now, on your solemn oath, will you swear that you did not see a carpet bag? Witness: I did not.—I believe Thompson examined

the large trunk. I saw nothing that was taken out of it. I will swear that I saw no wig, or anything of that kind, in the trunk, or in the closet. You did tell me of the guns being there, and that they were loaded and capped. I believe they were about the first things I took hold of. I handed one to Thompson; I took the caps off the second. I do not remember your pointing out any keys in the purse.—Prisoner: On your solemn oath, as you wish to get off that box alive, did you not see the carpet bag there, and did I not point out to you the key belonging to it? Witness: You did not, as far as I can remember.—When I pulled the purse out of your pocket, I saw the three keys at one end, and the money at the other. I did not examine minutely the papers in the closet. Some of them were tied up in bundles. I am not positive what you said about the papers, but I think you remarked that you wished them to be taken care of. I might promise that they should be taken care of. I do not remember locking the carpet bag with a brass lock with one of the three keys. I was first applied to for the keys on the Thursday or Friday you were at the bridewell. I had not then made use of them, and they had never been out of my possession. I do not remember seeing either a carpet bag at Potash, or a small brass lock that the keys would fit. I handed both guns to Thompson. Amis and Mortar, and, I believe, another officer, were present. I believe there had been only myself and three others upstairs. I had been in the room half an hour before the conversation took place about the time. You were standing next the door at the time, and I was out of the closet. You said, "It was eight o'clock, was it, that the murder took place." The other man was in the room then—he said, "There's no other had mentioned it but you yourself." You were both towards the door. There were two boxes of caps in the closet; I recollect picking up some loose caps. I picked, also, some leaden bullets up, but I did not put them in the box with the caps. One of the police, whose name I don't know, reached in and picked the boxes up. The man was tall, and of a dark complexion. I knew all the others in the room. I gave the fourteen keys to Futter, on the Thursday morning, I believe. They had been in my possession up to that time. No one had been in your room up to the time I found them. Futter was at the bridewell when I gave them to him. I gave them him about eleven o'clock. I had been at Potash, from the time I found the keys till the Thursday. I believe that Col. Oakes knew that I had the keys; I don't know when he knew it. Futter said he was authorized to take the keys. I saw Col. Oakes on the Wednesday at Potash, in the afternoon. Col. Oakes looked round, but did not go into the bedroom. He did not go upstairs. I do not know whether he knew that I had the keys. I took Futter's word that he was authorized to take the keys. I did not hear that any locks had been broken. I was at Potash on Wednesday, with the keys, about four o'clock. I did not go upstairs then, and do not know whether any locks had been broken. I do not remember any papers lying about in the parlour or keeping room. Howe and Oakley were not there, I believe. Mr John Cann never gave me orders about the locks, to see that they were not broken. He asked me for the three small keys on the Thursday or Friday. Superintendent Hubbersty had asked me for them a few minutes before. I went to Potash with Emily Sandford on Friday, after she had been examined. Several police were there, I left Hubbersty and Witherford at the bridewell, superintendent Andrew's, I believe, was also at the bridewell. I believe Oakley was at Potash, besides eight or ten other police. It was about nine o'clock when I got there; I went into the kitchen and the parlour. I do not remember seeing any papers about in the parlour. I do not know who was in charge of Miss Sandford after I took her there. I took her into the parlour, Roberts was there at the time. He has been staying at Stanfield hall lately. I left her in charge of Oakley and Roberts. Roberts belongs to the county constabulary. I do not know where his residence is. I think it is at Baw-

burgh. Mrs Payne was at Potash, but I do not think she was in the parlour. I did not stay at Potash more than about five minutes. I believe I saw Andrews and Jones and Hubbersty at Wymondham when I returned. I was not in the room when Miss Sandford was examined. Nothing was said when we were going from Wymondham to Potash, about the conversation respecting the hour the murder took place. Something was said when we came back. You then asked me to try to recollect if I did not hear one of the police say, that it was about eight o'clock when the two Mr Jermys were murdered. I said at the time you spoke, I had a distant recollection that it was mentioned, but I was not positive.—Prisoner: Now are you sure that what you have said, is any thing like the conversation we had? Witness: Yes I am.—Prisoner: Do you swear that I did not say "who did mention it?" Witness: You said you were positive that some one did mention it, and asked who it was.—Prisoner: What did you say? Did you not say—not that you had a *distant* impression, but that it certainly was mentioned?—Witness: Two of the policemen answered at the time, but I did not, as I was not quite positive. I had an impression at the time that it was mentioned.—Prisoner: Did you not say something about a slip of the tongue, and that the other men should not have spoken?—Witness: No. I did not find two powder flasks in the drawer in your bed room. [Prisoner here requested that witness's depositions might be read.—His Lordship: I wish to point out to you, that suppose you do in some minute particular contradict him, in ten thousand more important ones you do but confirm him.—Prisoner—I cannot help it, my lord, this man has so completely perjured himself, that—His Lordship:—I cannot hear you make a speech now. The depositions were read, and it appeared that two powder flasks were found in the drawer.]—Prisoner: Will you swear that two powder flasks were found in the drawer?—Witness: I was wrong in my depositions—one was found in the drawer, and another in the closet. I take notes as soon as possible of any thing I shall have to give as evidence. I did so in this case, a few days after the occurrence. I saw Mortar go to you and say, "You are my prisoner." You said, "Your prisoner!" I then went to you and said, "You must consider yourself *my* prisoner." You were looking towards the fire-place, and when I went to you, you turned round towards the door. No one else took you into custody. Mortar touched you on the right shoulder. I did not see any one touch you on the left shoulder. I have some notes by me which I took at the time. Your boots were wet—the pair that Savory gave me—they were not very wet. The side away from the fire was wetter than the other. Savory handed them to me. I do not know that any remark was made at the time about their being wet. I believe I have said they were light ones. It was about half an hour before we started for Wymondham that I went upstairs for the Bluchers. That was after you had your breakfast. You had on your slip shoes at the time. You went upstairs to get a pair of boots to put on. The boots were under the bed. I had not seen them examined before. I remember your taking the boots from under the bed to put on. I have not said that I searched and found them. I did not hear any one make any remark about the boots when the room was searched. I said there was fresh dirt on the boots, and I say so still. I made some memorandums of what took place on the Wednesday. [Prisoner complained that there were some discrepancies between the witness's statements before the coroner and his present evidence, which his lordship said would be a matter for observation to the jury.] I do not know how the Potash clock was by the railway time.—By Sergeant Byles: I shewed two pair of boots to Emily Sandford—the pair found in the kitchen and the pair found under the bed. There was a heavy pair of high boots in the kitchen, drying; they were not open at the side; they were higher than Wellington boots. They were not taken from the house, and, I believe, they are there now. [Witness produced some bullets which he had picked up.]

The witness THOMPSON was then called for cross-examination. He said, I have only been examined twice about the murder—before the coroner and before the magistrates. I have given no evidence since. I was present when Pont put the handcuffs on you. I cannot say who first took you in charge. I went upstairs to search the premises. I did not go into the closet; Pont searched that. [Witness's depositions before the coroner were read, in which he was said to have stated that he had searched the closet and found some woman's apparel and two double-barrelled guns.] I did not get inside the closet; I could not get in for the box. Pont was inside the box and I was outside. I assisted in searching the box. I do not recollect what was said about the wigs. I do not remember seeing the wigs. I believe all the things in the box were turned out and laid on the floor. I borrowed the knife to uncap the gun of inspector Amis. I will not swear that I uncapped more than one gun. I did not hear Pont make any observations about what was taken out of the box; and I do not remember seeing any bullets inside the door. Pont, I believe, took the things out of the box, and I assisted him. I do not know what was done with the carpet bag when it was taken out. I did not see any one examine any bundles of papers. I do not remember having seen a carpet bag taken out of the closet. I saw inspector Amis with one, and he has it now in his possession. He was in the room when I saw him with it. It was a rather large one. There was something in it, but I don't know what. I don't know whether the things in it were examined. I heard of no conversation as to what had been said about the hour at which the murder was committed. I do not know whether I should have heard such a conversation if there had been one. I do not remember seeing the carpet bag unlocked. I not do recollect seeing your purse after it was first taken by Pont. I heard no conversation in the room about the Mr Jermys. The charges were first drawn from the guns at the coroner's inquest. The guns had been in my possession up to that time. That was the first time I knew what was in them. The magistrates asked me the contents of the gun, and I told them. One of the guns has a short barrel. The usual length of a barrel in a double-barrelled gun is about thirty-two inches; the longest of these two is 31 inches. When I was in your bed-room, there were six others present—Pont, Mortar, Amis, Rudrum, Melvin, and Minns. I have not sworn that the closet door was broken open. [Witness's depositions before the magistrates were read; in which he was made to say that the closet door was broken open. Witness said he did not remember making the statement, and that it was incorrect.]

JOHN MORTAR: I am one of the Norwich police. About one o'clock of the morning of the 29th of November, I went with other officers to the Potash farmhouse, and watched. A little after six I observed a light moving in the house; and I saw Rush pass a window with a candle in his hand. He unbolted the kitchen door, and I then opened it and took him into custody. I saw the hand-cuffs put upon him, and heard Pont tell him he was suspected of shooting the two Mr Jermys. He said, "Good God! I hope they don't suspect me." I went upstairs into the prisoner's bed-room, and he went with me. Amis and Pont accompanied us. I found a cloak on the prisoner's bed. [The prisoner requested that Mr. Cann would not make any communication with the witnesses about what was transpiring. His Lordship: Mr Cann, I hope, understands his duty too well to communicate anything to the witnesses out of court, about what passes here.—Prisoner: I hope so, but it is not at all unlikely.] While the search was going on, the prisoner asked me what time the affair took place. Neither I nor any one else in my hearing told him the time the murders happened. Some little time after that, he said, "he understood it was a little after eight o'clock." I said, "From whom did you understand that, as you are the first person I have heard name any time in this house." He then said, that "he had heard one of the policemen state the time." None of them had done so

in my hearing, and he was not out of my presence up to that time. He said "he should have been there about that time last night, had he not understood that young Mr Jermy had at home;" "the young man," he observed, "was a great enemy of his, but the old gentleman and he had been better friends than formerly."

Cross-examined: I saw Pont come out of court. He said nothing to me about what had taken place in court. I cannot say what passed. Pont said to me, "I took him by the right shoulder."—His Lordship:—"It is very wrong of him.—Prisoner: My lord, there are so many things wrong; this is not the only thing I complain of.—Witness: I made memorandums of what I have just given in evidence. I cannot swear that when you were taken, there was nothing said except by myself and Pont. There might be things said which I cannot recollect. When I entered the door, I took you by the arm and said, "You are my prisoner."—Prisoner: The *right* arm I suppose now Mr. Pont has spoken to you?—Witness: No, the left. One or two of the others took you by the right arm. Pont, Amis, and myself, were the first that went upstairs to search the bed-room. Pont, Amis, Thompson (whether any others I can't say) were present when the closet was searched. Pont, Amis, and Thompson assisted. The room was searched at the same time. I did not see the things handed out of the closet. I saw a carpet bag, but did not see it examined. You were this side of the bed, by the passage, when you talked about the time of the murder. When Pont left this court, I will swear he said nothing to me about what I was to say if you asked where I stood at the time.—Prisoner: I don't believe you.—Witness: He said nothing more than I have told you. I searched the bed. I looked under the mattress, and found a dagger there. The bedstead had a splined bottom. I did not see the carpet bag unlocked. I might have been in the room about half an hour, when you talked about the time the murders happened.

STEPHEN AMIS: I am a policeman of this city. I went to the Potash farm house on the morning of the 29th of November. I remained outside the house till a quarter past six. I went in, with Pont and saw him handcuff Rush. I afterwards went up with Rush, Pont, and Mortar, into the bed-room. I heard the prisoner ask Mortar what time the affair happened. Mortar made him no answer. The prisoner in a few seconds afterward said, that one of the policemen had told him it was a little after eight. I had not left the prisoner from the time I went in till the observation was made. The time had been mentioned by any one. After speaking of the time, prisoner said he should have gone to the hall last night, if young Mr Jermy had not been at home, he being an enemy of his. I found a shot bag and two powder flasks, and a dark lantern in the closet. The shot bag was in the drawer. By the prisoner: Mortar and Rudrum were the first to go into the house. Pont and myself immediately followed. Pont told you to consider yourself his prisoner. I was standing by Savory's door at the time. Pont was standing with me. I saw a light pass by the window before we went in. I did not see you till I went in with Pont. I saw Pont take out a bunch of keys from your pocket, and three small keys. I saw you point out the key of the door. The carpet bag was found in the room, but not in the closet. It was about twenty minutes after we were in the room, when we found the bag. There were two carpet bags. One was full of what appeared to be deeds tied up in bundles. I saw nothing in but papers; I was looking for fire-arms. The bag was left under the bed where it was taken from. I do not remember seeing it unlocked; I saw it opened; I believe it was not locked; I turned the bag on one side and saw there were no fire-arms there. I was assisted but I don't know by whom. I did not see your purse after I saw it in the kitchen. I did not hear any thing said about your papers being of importance. Pont handed both guns to Mr Thompson. I lent my knife to Thompson, and I saw him take off one cap. I saw a pair of Spanish leather boots under the bed, but no other. You put on the pair that was

under the bed, before breakfast, I believe. I do not remember seeing any others. You were standing between the foot of the bed and the fire-place, when the closet was being searched. You were standing by the side of the bed nearest the door when the conversation about the hour of the murder took place. I have not spoken to Pont since he left the room. We were together in the witness' room, before we were examined. I saw Pont when he left this room, but I will swear I did not hear him say anything about what evidence he gave. I do not know how long you were standing by the window. They were about a quarter of an hour or twenty minutes examining the closet Mortar was standing by the side of you when the conversation about the hour of the murder took place. You asked the time of the murder, before mentioning about Mr Jermy being your enemy.—By the Court: We went up into the bed-room about five or six minutes after we entered the house. We examined the bed first, then the chest of drawers, after that the table-drawer by the window, and then the closet. The conversation about the time of the murder was after the examination of the closet.

THOMAS OSBORNE SWORN, said: I am a policeman. I went to Potash on the 29th November. I was present when prisoner was apprehended. When he was first taken, he said, "Good God! I hope they don't think it is me; it is rather a serious charge." Pont told him what he was charged with. I did not go upstairs. I was present with him at breakfast in the parlour. He said, "Which is the man who told me the time the affair happened?" I said, "Not a word of that sort was spoken below stairs." Inspector Amis told me to take charge of Rush during breakfast. There was a woman in the room dressed as a widow; it was Emily Sandford. The prisoner said to her, "I am accused of murdering Jermy and his son, but that fellow Clarke has done this; it is he that has caused me to be suspected, but you and Savory can clear me, for he washed my boots at half-past five, and you know I didn't go." After a pause he said, "Have you been asked any questions?" The woman said, "Yes." He said, "It is unfair, they have no right to ask questions." She said, "That stout man asked if you went out last evening, and I said you went out at eight o'clock for about a quarter of an hour." He then said, "I was not out more than ten minutes, and you know I had my slip shoes on." The woman said, "I don't know if you had or not; I did not see you put your boots on." He replied, "I have no doubt I shall be suspected because we have lived on such bad terms, but lately the old one and I have been more friendly; but the young one was my greatest enemy." He again said he was sure some one had told him the time the affair happened. He several times asked for his cloak, as he wanted to put it on.

Cross-examined by the prisoner: Mortar took hold of you by the left arm, and I by the right. Six or seven policemen were in the room. They came in directly. Mortar was one, and Rudrum. Mortar said you were his prisoner, before Pont told you the charge. I will not swear whether Pont was quite in-doors at the time, but I saw him directly afterwards. I heard one of them ask you to take him into the bedroom. Mortar's words were, "You are my prisoner." Pont told you that you were charged with murdering Mr. Jermy and his son. I don't know whether he said anything else. I heard all the conversation which took place. I do not remember anything being said about the time of the murder. I don't believe there was any conversation in addition to what I have stated. I don't know whether Savory was inside the house when you were taken. Pont, Mortar, and Amis went upstairs with you. I saw them go with you. I saw you go out of the kitchen in the passage to go upstairs. I was in the kitchen standing by the window when you went out. I have not sworn that I saw you go upstairs. I saw you go away with the others for the purpose of going upstairs. [Witness's depositions were read at the prisoner's request. He (the witness) was made to say that he saw the prisoner go upstairs, & Pont & Mortar with him. Witness said he supposed they were going

upstairs as they went in that direction.—Prisoner said he knew the witness was perjuring himself, and that was the reason he was so particular in the cross-examination.] I do not often make notes of what I have to give evidence about. In this case I made notes of what passed between you and Emily Sandford. The lady went out of the room once or twice when I was with you. She was in the room part of the time when the conversation took place. She seemed very much agitated. She was present when you spoke about washing the boots, and about the slip shoes. She was in the room also when Clarke's name and young Jermy's were mentioned. I think she was not there when the time of the murder was talked about. You mentioned the matter several times. You mentioned it first in the kitchen a little before eight o'clock, just when you went into breakfast.

HENRY HUBBERSTY said: I am one of the superintendents of the county police; I was at the Potash farm house, on Friday, the 1st of December, from twelve to four o'clock; I went into Rush's bed room, where I found a box in the closet; the door of the closet was shut but not locked; Oakley was there and no one else; the box was not locked; I searched it and found a widow's cap, some loose papers, some female wearing apparel, and some things which I produce, consisting of a wig, with a pair of whiskers attached, a woman's front, another wig, and a travelling cap. I was present when one of the wigs was put on the prisoner in Chestney's presence; I saw the prisoner put it on; he asked me to do so for him; he put it on in another room, and then went into Eliza Chestney's; he put a cloak on also.

Cross-examined—I went to Potash first on Friday, December 1st, I had not been before. I did not hear what evidence Watson gave on the night of the murder; I was at the hall on Wednesday, by three in the afternoon; I remained there till the time I took you to Wymondham bridewell; I saw Watson at the hall, but had no conversation with him about the man. I saw Emily Sandford there between five and six o'clock, but did not speak to her; an hour after I looked in, and she said she was cold; I then told the cook to bring her some tea; I had no conversation with her; I saw no one else speak to her that day; we went to the bridewell about twelve o'clock at night. I got to Potash about twelve at noon on Friday; Mr Witherford and Mr Andrews were with me; Emily Sandford was in the parlour when we got there; there was no one with her; I saw Oakley in the entrance hall, and several other police were about the premises; police constable Howe was with Oakley, I think. I was at the bridewell on the Thursday when Emily Sandford was examined, I heard part of the examination; Andrews and Witherford went with me into the room at Potash, on Friday. Shortly after we arrived, Mr Waugh came; before he came, I asked her if she had spoken the truth on the day before. She burst into tears, and said no! I then sat down and wrote a statement from her. The statement is now in the possession of Mr. John Cann. It was lying in the room at the time of the examination the same evening. She did not sign her name to what I wrote. The first time fixed for her to go to the bridewell that day was six o'clock; the arrangement was made in the afternoon, about three o'clock. I gave the statement to Colonel Oakes about two or a little after, when he came down to Potash. I had not finished the examination when Mr Waugh came; it had then occupied about an hour; we finished when he was gone; Colonel Oakes knew Mr. Waugh had been; I had a message sent down to me to say Emily Sandford was to be at the bridewell at six; I next saw Miss Sandford at the King's

Head, Wymondham, and afterwards at the bridewell; these were both on the same evening; I think Savory drove her up; she was in the room at the examination about two hours, before Mr Cann; I believe it was old Mr Cann who took it down; Mr. Cann, sen., had the statement in his possession, but he did not refer to it while asking the questions; I do not know whether she signed it; I do not think she did, but will not swear she did not; I heard her say something about some papers in a secret place. [His Lordship here stopped some of Rush's questions, and reminded the prisoner, that he had no right to ask one witness what another witness said.] Emily Sandford was not sworn; the examination was finished, I should think, between eight and nine o'clock; when at Potash in the morning, I went into your bed-room, and into the room Miss Sandford was in; I left Oakley at Potash; it was he that had the keys; I saw some papers lying about on the table of the keeping-room; I believe Howe was looking at them; I was at Potash on Saturday; (the next morning;) Mr Cann, Mr. John Cann, Mr Witherford, and Andrews were there too; the Messrs. Cann were there just before us; Mr John Cann was in the parlour; we went to the closet directly; the door was shut when we went in; Oakley was in the passage, and did not attempt to enter the parlour; he brought a bag to the parlour door soon after we were there, and I took it and handed it over the table to Mr John Cann; I do not know whether this is the bag, or whether it was locked; Mr Cann, jun., took the papers out; there had been some taken out of the closet as well, but they were not mixed; Miss Sandford was sitting by the side of the fire when we went in; and she made no observation. Am certain neither Witherford nor myself produced the closet keys. The closet door was undone directly we entered. Old Mr Cann was no in the room, and the papers were taken out of the closet before he entered. A cash box was the first thing that was taken out; I did not see it opened; some keys were tried to open it with—I think Mr John Cann had them. The papers were taken out directly after the box, and some of them were put on the table; I saw no papers shewn to Miss Sandford. I should think the Messrs Cann were there about half an hour; they took the box away with them when they left; I did not see Mr Cann, senior, in the room; I was not there when they left the room. I was in the closet when the cash box was taken out of the hole; the secret place was found by Witherford; he got a fork and poked about on the floor and found it so; Mr John Cann was at the door; heard no observation about the papers at all; the Messrs Cann were not at the house more than half an hour I should think, that morning; during the time I was absent about ten minutes; taking all the papers and box out of the hole occupied only about ten minutes; I saw no carpet bag, after I took the one I have mentioned into the parlour; the breakfast was brought while we were there, after the box was taken out; I do not think Emily Sandford had begun breakfast when the Messrs Cann left; I hear of no particular papers being taken out of that hole similar to what she had described; I did not see Mr Cann shew them to Miss Sandford. There were not one or two marble covered books, like copy books, taken out; Mr Cann made no observation about them; they were laid on the floor, but I do not know what became of them; after we searched the place, I did see the door locked; Miss Sandford left after Mr Cann; we went to Wymondham together about ten in the morning; she rode in my cart; she

had never been in the cart with me before ; I do not know who drove her to Stanfield hall on the Wednesday.

The Court here adjourned for a quarter of an hour. The first witness called, when the trial was resumed, was

SAMUEL SAVORY—He said, I am a labourer living at Wymondham ; I have known the prisoner twelve years ; I recollect the night of the murder ; I saw the prisoner on that day, between Mr Colman's and the Wymondham Lodge ; he was on the road going towards Wymondham ; it was five o'clock in the afternoon, and getting dusk, when I saw him.—Cross-examined by the prisoner—I was going to Mr Colman's to ask for a job ; I first gave evidence at Mr Cann's office ; I was ordered to go there by Mr Cann, who told my sister to send me ; Mr Cann first asked me where I saw you. I told him I saw you at five o'clock ; he mentioned no time to me ; I saw you on the day of the murder ; you were walking towards Wymondham ; I was going to Mr Colman's ; from there I went to Wymondham ; I do not know whether you were out of sight when I left Mr Colman's. [By Sergeant Byles—I had not mentioned to Mr Cann that I had seen Mr Rush ; I had told my sister that I had seen him ; I did not kiss the book at Mr Cann's.]

WILLIAM BACON was next sworn—He said, I am a sheriff's officer ; I was in the year 1847 employed by the late Mr Jermy to distrain ; I cannot find my distraining papers ; I remember distraining in October, 1847, at Potash farm ; I remember the prisoner on the 18th asking me what I was going to do ? he said, "Bacon, I have paid this money," he told me, speaking of Mr. Jermy and Mr. Clark, that he would do for them the first opportunity.—[By the prisoner]—I do not know when you came to say you had paid Mr Clark's money ; I met Mr Jermy in the street, who told me that the money was not paid ; he told me to go to see Mr Clark, and I did so ; Mr Clark told me it was not paid ; I did not say anything about your threat till I was ordered to Wymondham, except once at Attleborough ; a man named King was in the house at the time ; I did not see Mrs. King till some time after I was examined at Wymondham ; I do not know who the policeman was who came for me ; King was with him when he came for me ; they both told me what they came for ; they said they had come for me on account of what I had stated at Attleborough ; they told me nothing else but what I have now stated. [Prisoner requested that witness's depositions should be read over, to which the Court consented.] I do not recollect who was in the room besides Mr King when I mentioned your threat ; no one has spoken to me since about it ; you told me, at the magistrates', that if the policeman or King came into the room without my seeing him, my evidence would be upset ; and I said I should like him to come in at once.

ROBERT MARTIN : I am a bailiff, residing at Norwich. In Michaelmas, 1848, I was employed to distrain on the prisoner at Felmingham. I entered upon the 13th of October. I do not know how long I remained in possession.

RICHARD READ was then sworn—he said : I am living in Thames street, London. I was once acquainted with John Larner. The prisoner was introduced to me by Mr Larner in March, 1848. Some claims, relating to the claims of Mr Larner upon the Stanfield-hall property, were given me, and I was asked if I could give them into the hands of a respectable solicitor. Mr Rush shortly afterwards inquired of me, if a solicitor had taken the case in

hand, and if it was going on. I accompanied the prisoner, about that time, to a Mr Waugh, a solicitor, in London. These papers were taken from Mr Waugh, and brought to me, and then put into the hands of another solicitor—Mr Wilson. That was about March. Sometime afterwards the papers were given to a third solicitor—Mr Flower. I heard Mr Rush say, he thought they had an honest lawyer to carry on the cause. I received, by post, this letter from Mr Rush, dated 2nd May, 1848.

Angel Inn, Islington, May 2nd, 1848.

DEAR SIR—I have not yet had any communication with Mr Wilson. Since I saw you I received a letter from him, to say that he was unexpectedly called into the country, the day you should have met him at his office, and saying, he expected to return on the Friday following, but did not fix any time for meeting, so, of course, I have not called since. I had, very unexpectedly, an old bill of the late Rev George Preston sent me by to-day's post, and, although not the one made in 1819, I think the parties who have sent it will be disappointed when they find the use I shall make of it, which will be to have it published ; and I am not at all aware how I am to act to do so. If Mr Wilson intends to go on with Mr Larner's business, no one could be so proper as he. Therefore, I will meet him at his office to-morrow, at twelve o'clock, to consult with him, and see what is best to be done, and if he thinks the will will be of any use in Mr Larner's business.

I am, Dear Sir, yours respectfully,

JAMES B. RUSH.

I received also this letter, dated Oct. the 2nd 1848.

DEAR SIR—I expect to be in town to-morrow instead of Wednesday, as I wrote to you ; and as I have now got a lawyer who will do all in his power to have justice done to Mr. Jermy, I will at once let you and Mr. Jermy know how far I am disposed to assist him. You must, in order that I may do so, have Mr. Jermy up to town to-morrow, (Tuesday evening.) You, Mr. Larner, Mr. Larner's eldest son, and Mr. Jermy, must meet me at my lodgings, No. 2 Mylne street, and I will at once tell you my plan and the only plan that will ever give him his estates. There is one point I must have observed, strictly to the letter, and that is, no one of us five but the lady who is going to find the money to carry my plan into execution, is to know what we are after, till I think proper. It will in no way interfere with the course your lawyer has taken, but it will materially assist it. I will explain all when I see you to-morrow night. You must have Mr. Jermy up, as I shall want him down in Norfolk to take possession on Wednesday, and if you and Mr. Larner think it advisable, after hearing my plan, Mr. Larner must accompany me. You will be so good as to send into Mylne street, Claremont square, Pentonville, to say what time in the evening I may expect to see you ; unless Mr. Larner's son should be at so great a distance that he cannot meet us. Trusting that God has hitherto ordered all for the best,

I am faithfully yours,

J. B. RUSH.

P.S.—Above all, do not appeal to Mr. G. I would not have him know, that Mr. Jermy is coming down to Norfolk for £500, he is a clever man but not to be trusted in anything I have to do in this matter.

I met Mr Rush at my house again the day after receiving this, and went to his house at Mylne-street in the evening ; Thomas Jermy and John Larner came in after I got there ; Emily Sandford was there when I went in ; but she left the room afterwards. An agreement was ready prepared on the table ; It was read over aloud, and Mr Rush then said it was his plan—I signed the agreement ; he said it was the only plan by which he could render the claimants any assistance whatever ; Jermy hesitated about putting his mark to the paper, and appealed to me ; I said there was nothing unreasonable about it, and both he and Larner signed it ; I signed it after they had done so ; Emily Sandford was called in as a witness ; I do not know whether she put her name to it. He said she would find whatever means were required ; he called her "that lady," she was present when that was stated. He alluded also to the Felmingham farms, and said he should require Jermy and Larner to go down the same evening about them ; he said that he would defray all expenses of any suit that might take place in reference to the Felmingham property ; he stated

that he held the leases of the Felmingham property; either one or both of them he said, would expire on the 11th of October, and he would put the claimant in quiet possession; he said he expected Mr Isaac Jermy would serve him with an ejection on the 12th; he said that he should want him, Thomas Jermy, down into Norfolk and would pay his expenses; Jermy refused to go except Larner went with him; Rush was agreeable that he should go, but objected to pay his expenses, and I agreed to do that myself; it was settled that they were to go on the next day (the 4th); I went down on the 10th; I went first to Potash; I met Rush at the terminus at Wymondham and went to Potash with him; I did not see Jermy at Potash; I went to Felmingham on the 11th of October with Rush; when we got there I saw Jermy at a farm house; Larner was there as well; I was present when the prisoner proposed that another agreement should be made, it was similar to that signed in Mylne street. [This agreement was put in, but was not read.] I went (while in Norfolk) with the prisoner to Mr Isaac Jermy, on the 11th of October, before we went to Felmingham, to tender him some money; while at Felmingham the prisoner produced in my presence the draught of a notice, and I copied it off; this is the copy I made; it was signed by Thomas Jermy, and witnessed by me; I do not know anything about its being served; Mr Rush took possession of it; this indorsement is in his handwriting; it is as follows—"12th October, 1848;—October 23rd, gave Jermy a copy of this notice." [This notice was then put in and read.] I afterwards went to London; on Saturday, October 14th, Mr Rush called upon me there, and I went with him to Mr Clowes, the printer; I did not hear Rush give any directions for the printing of any books or notices, but while the clerk went to inquire whether the notices were done, to the best of my recollection, Rush gave me a sovereign and said, "Do you pay for them." In consequence of that, I paid the sovereign, and the prisoner directed the printer to send them to Norwich; he did not shew to me a draught of the notice to be printed.

Cross-examined—The papers were taken from Mr Wilson's, in consequence of his delay; I do not know whether Mr Waugh got on slow with them, and never said so; the papers were taken from Mr Waugh before I knew you; it was my doing that they were taken to Mr Wilson's, this was about March to the best of my recollection; I did express myself dissatisfied with his being slow, and it was my doing that they were taken from him, and Mr Larner's that they were taken to Mr Flower; when we met at Mylne street, you told me that Jermy must be allowed to bring an action of ejection against the rightful owners, and you would defend the action and pay all the expenses; it was Mr Flower's advice that a bill should be filed, and you recommended that it should be brought to trial at the assizes; and I thought that the best plan; Emily Sandford was in the next room, when you told her to come in; I remember Mr Thomas Jermy was very reluctant in signing at Mylne street, and also at Felmingham; you told me that the rents and agreements mentioned were old ones. [His lordship: This is not his admissible evidence.] I don't remember who was at Potash when I came down; I do not recollect your son being there; I understood he was at Norwich; we breakfasted in the parlour; I never heard you express any ill-feeling towards the Mr Jermys, except that you intended to do all you could to oppose them in the legal transactions.

JOHN LARNER was next called. Mr Evans however, remarked that the prosecution had no question to ask him, and that he had only been called to afford the prisoner an opportunity of interrogating him.—The prisoner declined doing so, and Larner accordingly retired.

THOMAS JERMY was then sworn: The following brief examination of this witness took place:—Sergeant Byles; Can you write?—Witness; No.—Sergeant Byles; That's all.—His Lordship; (to prisoner) Do you wish to ask him any questions?—Prisoner; No, my lord.—His Lordship; (to witness) You may stand down. The witness then left the box.

FREDERICK WILLIAM HOWE was called for cross-examination, the prisoner muttering, when his name was mentioned, "I'll give him a sweating when he comes."—Prisoner; Now, Mr. Howe, remember I have a large family, and this is a solemn occasion, one of life or death to me, according to the evidence you give. Let me caution you, that my firm hope is in God's protection against all false evidence; and those who swear falsely against me, let them recollect that God's eye is upon them. If you wish to have peace of mind after this day, and to walk out of this court in health, speak the truth, and nothing but the truth, to the best of your recollection. The cross-examination then proceeded:—I am staying at the Bell Hotel, in Norwich; I have never but once had what I have to say, on this business, taken down in writing, and that was in my own house, by Mr J. Cann; I have written letters to Mr Cann about it, and have received two from him about my attending the trial here.—Prisoner; How much are you to have for giving your evidence?—Witness; How much!—Prisoner; Has there been anything said about the money you are to have?—Witness: Nothing; I have received a guinea for my expenses; I came down on Monday; I will swear I have only received that one guinea, or rather one pound, for it was a sovereign; my residence is No. 1, Marlborough street, Greenwich; I have lived in the same house seven years; I am not married.—I am not one-and-twenty.—Prisoner; Can you give any references for respectability for these last two years?—Witness; I am not bound to give any, but my uncle is chaplain to the Mercer's Company, and my father is mathematical master to the Clapham Grammar School.—Prisoner; Have you been suspected of any crime?—His Lordship; You cannot ask such a question; you may ask if he has been accused.—Prisoner; Have you been tried in any court? Witness: No. I have not said half a dozen words to Mr Cann since I have been in Norwich; I am in no employment now; was last employed at Mr Reuben Simpson's, Bedford row. Mr Simpson has nothing to do with Mr Brockfield; have never been accused of receiving any money there and not accounting for it, neither by Mr Brockfield nor Mr Simpson; I know about an indictment of Elizabeth Kingate for perjury.—Prisoner.—What do you know about it? Witness: Do you wish me to detail it fully?—His Lordship: We cannot go into that now.—Witness: I never was in any trouble about it, I made an affidavit on that occasion, under an application of *habeas corpus* for the delivery of our client's daughter. [Several other questions on this subject were put, but they appeared to be quite irrelevant.] Witness: I know Mr Charles Matthews, the actor; I have never been charged by him with forging orders for admission to the theatre. I must explain that though I am not bound to do so. A friend of mine, a medical student at the College of Surgeons, had

proposed to me, that a Mr Morgan, a friend of his, should be sent to the theatre with an order for admission, to take some ladies. I wrote out an order for the Lyceum theatre, to the stage boxes, and when Mr Morgan presented it, it was detained by the officer on duty. Mr Matthews was apprised of the circumstance, and I went before him and two or three gentlemen who accompanied him; and as the affair was proved to be a joke, for the purpose of sending the gentleman to be detained, it was at once dismissed by Mr Jardine. The recital of the matter appeared in the public papers at the time. Mr Simpson did not discharge me—I left because he did not want my services, and I had other business to attend to. I left Mr Waugh in January or February, 1848—I cannot say which. I do not perform the part of a counsel at any Judge and Jury club in London, but I have occasionally been at such places, and put on a wig and gown. I have been employed part of my time as teacher of boxing. I have never passed by any other name than my right one. Never went by the name of Abraham Leastram. In a joke, a friend of mine had some cards of that name printed for himself. Mr Paul was the engraver. I should say it is three weeks since I saw Mr Cann in London. It was one Sunday, and Mr Cann was accompanied by his brother. I wrote a letter to the Mayor of Norwich some time since. I remember stating in it, that I knew you, and that I had heard you use these threats. I had a message, by telegraph, to come down at the inquiry before the magistrates, but did not receive it in time. I should not have come now, if Mr Cann had not come up to London. I have received many letters about coming down, but no parcel, except the one sent, by telegraphic message, which was done up in brown paper, and sealed. I never had a parcel come which I could not pay for. I left word at the Wheat-Sheaf, that, if any parcel was sent there while I was away, the landlord was to pay for it. I received one parcel there, with one pound in it for my railway expenses. I have never said I should see your solicitor, and see if he would give me more money than the others would. I was never indicted for perjury at the Old Bailey. I do not remember the day of the month that I saw you at Mr Waugh's; it will appear, however, in the "Call-book." It would appear on that day on which he said the conversation took place. It was either in January or February. [Prisoner: I do not remember what you have said, for they have had your evidence all this time, and I have had no opportunity of knowing any thing about it. His Lordship then repeated it over to the prisoner.] The fighting man's name was Samuel Simmonds; I said you were drinking claret; there were about 200 persons in the room, but you, and I, and a girl were standing by Simmonds, near the door; it was at two o'clock in the morning of the 14th December, 1847. [Prisoner asked counsel if they had a pocket book of his for 1847. None such could be found, and Sergeant Byles remarked that it would be well for prisoner's solicitor to look over all the papers, &c.] I should think you left about four o'clock, you left before I did; I do not know the names of many of the parties who were present; you were sitting on the table, with your back towards the company, but I should think from Simmonds' position, that he heard what was said; I left Mr Waugh for breaking a window, and for no other reason; several of the clerks were throwing stones at one of the back windows; there was no serious charge against me.

ROBERT LEMMON—I am a clerk in the Norwich fire office, and know Mr Jermy's hand writing well; I

believe this is his signature. [The document alluded to was put in and read; it was a notice from Mr Isaac Jermy to the prisoner, to pay the sum of £5000 still owing to him under three indentures, bearing date respectively 30th November, 1834, 27th October 1841, and 20th September, 1844.]

MR JAMES CALVER—I am a solicitor at Kenninghall, my father's name is Daniel Calver, he was also a solicitor at Kenninghall. I was acquainted also with Mr J. D. Margetson, of Bungay; I believe these to be the signatures of my father.

R. TUNALEY, surgeon, deposed that Mrs Jermy was unable to be brought here.—Prisoner said he should like to have Mrs Jermy's depositions read at the proper time. He said he thought it had clearly been set forth that if Mrs Jermy could not attend, her evidence could be read according to the new act.—His Lordship: No doubt the depositions could be read, if she not only could not attend, but if there is evidence to shew that she probably never would be able. Sergeant Byles read the clause of the Act; after which his Lordship said, that as the prosecution did not object, the depositions should be read if the prisoner desired.

A witness was then called to prove the hand-writing of Mr. Margetson, solicitor, of Bungay.

MR EVANS put in three leases, one a lease of certain lands at Felmingham to the prisoner, at a rent of £120 a-year, for a term of 11 years, ending October 11th, 1848; another, a lease of other lands at Felmingham, at a rent of £150 a-year, to the prisoner and his father jointly; and the other a lease of several farms in Wyomondham, Hethel, Carlton, and Ketteringham, for a term of 11 years, at a corn rent.

MR. FRANK AUSTIN deposed: I am officer of the court of bankruptcy in London; I produce a fiat against the prisoner on his own petition, which has been enrolled, dated May, 1848. [This was put in and read.] Mr Jermy was examined under this bankruptcy on behalf of the assignees.

Cross-examined—The papers under your bankruptcy are all here. There is also amongst them an affidavit sworn by your mother, and sent up by Mr. Wilkinson; the prisoner's mother made an affidavit of debt of £200.

Counsel then put in a number of letters, deeds, documents, &c., most of which were taken as read. Amongst them were the following agreements and letter:—

An agreement made, this 10th day of October, 1843, between James Blomfield Rush on the one part, and Isaac Jermy, Esq., Recorder of Norwich, on the other part. The said Isaac Jermy agrees to let the said James B. Rush have the £5000 on the Potash estate, three years over and above the time mentioned in the mortgage deeds, at four per cent., computing the three years from the expiration of the ten years as mentioned in the said mortgage deeds. And the said J. B. Rush agrees to pay the interest of the same as heretofore, and to observe all the stipulations and covenants mentioned in the aforesaid mortgage deeds, and the said Isaac Jermy agrees to do the same. As witness our hands the day and year above written,
ISAAC JERMY,
JAMES B. RUSH.

Witness—EMILY SANDFORD.

It is hereby agreed to, by me, Isaac Jermy of Stanfield Hall, that if James Blomfield Rush gives up all what papers and documents he holds relating to the Stanfield Hall and Felmingham estates, and do all that lays in his power, in maintaining and keeping me, or my heirs or assigns, in possession of the said estates, that I will give up all claim I have on him the said James B. Rush, on the Potash estate, and will burn all the mortgage deeds I hold on the said estate, and

give up the writings of the same to the said J. B. Rush, within twelve months from the date hereof, and give him a lease of the Felmingham farms for twenty-one years, on the same terms and conditions as he now holds an agreement from the present claimant, Thomas Jermy. In witness whereunto the undersigned have set their hands, this 21st day of November, 1848.

ISAAC JERMY.

I, James Blomfield Rush, do, in consideration of the above, herewith give up all the papers and documents relating to the above estates that can in any way affect the title of the aforesaid Isaac Jermy, and agree to do all I can to assist in maintaining and keeping possession of the said estates, for the aforesaid Isaac Jermy, his heirs, or assigns.

JAMES BLOMFIELD RUSH.

Witness—EMILY SANDFORD.

London, 3rd October, 1848.

Memorandum of an agreement made this 3rd day of October, 1848, between Thomas Jermy, of the parish of Upper Tooting, in Surrey, John Larnar, sen., No. 9, James' street, Featherstone street, City road, London, W., Charles Larnar, jun., in Wiltshire, on the one part, and James Blomfield Rush, of No. 2, Mylne street, Pentonville, London, on the other part:—that is to say, Thomas Jermy, John Larnar, and Charles Larnar, jun., agree for themselves, their heirs, administrators, or assigns, to let to the said James Blomfield Rush, his heirs, administrators, or assigns; and he agrees to hire all those two farms in Felmingham, Skeytan, and North Walsham, in the county of Norfolk, now in the occupation of the executor of the late Mrs. Mary Rush, or, previously to that, in the occupation of Mr. John Rush and the said James Blomfield Rush, for the term of 21 years, commencing from the 11th day of October, 1848, and ending October 11th, 1869, at the annual rent of £230, payable in two equal half-yearly instalments, on the 6th of April, Lady day, and the 11th October, Michaelmas day, after deducting landlord's taxes and tradesmen's bills, for what the aforesaid James Blomfield Rush may think are necessary for the repairs of the dwelling houses and farm buildings on the said estates; the aforesaid rent, after making the aforesaid deductions, to be paid to the aforesaid Thomas Jermy, John Larnar, sen., and Charles Larnar, jun., their heirs, administrators, or assigns, as they respectively come into possession of the aforesaid property. That the aforesaid James Blomfield Rush agrees, as soon as conveniently he can, after the signing of this agreement, to put Thomas Jermy into possession of the said estates, and to do all he can, legally, to assist him in maintaining possession, and that, if he succeeds, that he, the said James B. Rush, is to be allowed, from the aforesaid rent as it comes due, to re-imburse himself all reasonable expenses he may incur in keeping him, the aforesaid Thomas Jermy, his heirs, and assigns, in possession, and also all reasonable expenses he, the said James Blomfield Rush, may incur in obtaining possession of the Stanfield Hall estates, for the aforesaid parties. In witness, we, the undersigned, have hereunto set our hands, the day and year above written.

THOMAS JERMY, his \times mark.

JOHN LARNER, Sen., his \times mark.

RICHARD READ, Witness, 2, Red Bull yard, Thames street, City of London,

EMILY SANDFORD, Witness.

And it is further agreed, that the aforesaid Thomas Jermy and John Larnar, sen., do sign another agreement, worded in every respect like the above, except as to the date, at Felmingham, on Thursday, the 12th day of October next. In witness our hands, as above,

THOMAS JERMY, his \times mark,

JOHN LARNER, Sen., his \times mark.

RICHARD READ, Witness, 2, Red Bull Yard, Thames street, City of London,

EMILY SANDFORD, Witness.

Copy of letter dated the 28th of April, 1848, from James Blomfield Rush to James Blomfield Rush, jun.

MY DEAR JAMES—I received your letter this morning, and thank you for it. I do not see what you could have done better than you have.

I have at last got Jermy in a fix, and the rogue and villain knows it as well. How he will act now, will soon be seen, at all events he now knows if he ruins me, I can him, or you would not have seen him as you have, but I do not want you to let any one know this except your wife and her aunt. After this kindness and faithfulness to you, you ought to have no secrets from them. Send the pony and gig up to Rookham's for me on Sunday morning, about nine o'clock, as I shall not return before, unless I hear your grandmother is worse; if she is, I shall take a horse and gig from Norwich, and will write and let you know; but trusting in God for the best, and with kindest regards to your wife, believe me to be,

Yours faithfully,

J. B. RUSH.

Angel Inn, Islington, 28th April, 1848.

Marked—JOSEPH HOWE.

The pamphlet—Jermy v. Jermy—extracts from which were given by Sergeant Byles in the opening of his address, was also put in.—Prisoner: How long will it be before they have finished their case? Sergeant Byles: Almost immediately.—Prisoner: (to the judge) I hope you won't press me to commence my defence to-night. His lordship: Certainly not, if you wish to begin to-morrow. Prisoner—There are one or two witnesses who have been subpoenaed who are not now present, but who won't be very long in coming; there is the witness Blanchflower, too, I should like to have in the witness box. Sergeant Byles—We do not propose calling her for the prosecution, but she shall be in attendance here if you wish to call her. Prisoner—Then there is Solomon Savory. Sergeant Byles—I do not propose to call him, but I will have him here for you. His Lordship—With reference to the pamphlet, reflecting on Mr Jermy, to which the learned Counsel alluded, but which did not seem to me to have much bearing on the case, you can have it proved now if you wish. Prisoner—I do not care about that, so as I can refer to it in my defence. His Lordship—you can refer to any part of the pamphlet you think fit. Prisoner—and these other papers which they have given me notice that they would produce, but which have not been brought forward, can I refer to them also? His Lordship—I have no power to say that. The giving you notice is a very unusual sort of proceeding; it is only an extra assistance to you, which prisoners generally have not, they have told you what papers they have, but that does not bind them to put them all in as evidence; they only mean that they will not give in any others which are not mentioned by them. You may refer to them if they are legitimate evidence for you, but you cannot refer to them as already matters of evidence. The prisoner mentioned his letters dated 26th April and 19th April, to which he wished to be permitted to refer; the counsel for the prosecution not objecting, his Lordship acceded to his request, and the letters were considered as evidence.

SEARGENT BYLES: My Lord, that will be the case. His Lordship intimated to the prisoner that all the witnesses for the prosecution should be in attendance to-morrow, that any who had not been examined during the trial might be called by him for that purpose. The Court then adjourned, at half-past five o'clock, till to-morrow morning.

TUESDAY.

The LEARNED JUDGE took his seat this morning shortly before nine o'clock. From the fact of the prisoner having to commence his defence, an unusual degree of interest and excitement was manifested. The body of the court and the galleries were crowded at an early hour; and before the proceedings commenced, the seats allotted to the magistrates and the bar were also well filled.—The prisoner entered the dock at nine o'clock. He appeared more excited than usual.

Before the prisoner commenced his defence, he said, addressing the Judge—There is one request my lord I have to make, if you will have the kindness to allow me. I don't know when is the proper time to make it. It is that I may be allowed to put a few more questions, in cross-examination, to the witness Howe.

The witness Howe was accordingly called. He said—In the month of December last, I frequented the Wheat Sheaf Tavern; I there met a Mr Durrant, but do not remember a Mr Hyde; I have mentioned the Stanfield Hall murders in the presence of Mr Durrant, but do not know whether Hyde was there; I said I had often had a spree with you, and that is a fact; I did not say my object was to obtain my expenses in order that I might have a spree with my friends in Norwich; I have no friends in Norwich; I did not say if your solicitors gave me £20, and the prosecution £10, that I would come to speak for you.

Prisoner's Defence.

The prisoner then proceeded to his defence. He said—My Lord and Gentlemen of the Jury, I am now about to submit to you my defence on one of the most awful and important charges I have ever heard brought against any one in this county, and in doing so I earnestly beg of you to assist me in supporting myself under so awful a responsibility; and that I may so have prepared my defence in accordance with the truth, and that God may so be my counsel, that I shall at once convince you, gentlemen of the jury, of my innocence of this horrid charge that has been so unjustly brought against me. I am quite aware of the consequence of admitting what I have in the observations I made to the principal witness against me in her cross-examinations, and also to some of the witnesses. But she having done much grievous wrong to myself in departing from the truth at first, in giving her evidence, I have made up my mind to abide by the truth in the time to come. Having done so, however, (the prisoner proceeded to remark,) he hoped that the jury would make use of nothing he had admitted, or was about to admit, except so far as they found him concerned in what knowledge he had of what was going on at Stanfield Hall. [The prisoner here proceeded to complain of his not having been allowed free communication with his solicitors, without having to submit every thing to the governor of the castle, and he read communications which had taken place between himself, and his solicitor, and Sir George Grey, on the subject—the result of which was, that Sir George Grey merely left it to the magistrates, who had confirmed their previous decision. He alluded also to the cost which had been incurred by him in procuring copies of the evidence against him, the exclusion of the reporters by the magistrates, the difficulties which had stood in his way of getting counsel for his defence. Under these circumstances, he begged his Lordship to assist him in seeing that justice was done.] After some further remarks on the same subjects, the prisoner proceeded to read a letter, which we understood him to say, he had written with the view of placing in the hands of his solicitors, but which, from its being necessary that every thing should be submitted to the governor, and for other reasons, he had declined doing. This letter stated, that a person whom the prisoner knew by the name of Joe, told him a day or two before Friday, the 24th of November, that he and a lawyer would come to Potash, and speak with him (the prisoner) on Friday night, about eight o'clock, as they had made up their minds to take possession of

Stanfield Hall, as they had done a few years ago, with all the help they could muster, on either the Saturday or Monday following; and the lawyer would like to hear once more what he (the prisoner) thought they ought to do. Prisoner told them that he thought then as he always had done, but advised them not to come to the house, for if they were seen at Potash, he should be sure to be suspected, in consequence of the unfriendly terms upon which he and Mr Jermy had lived for the last eighteen months. Joe replied, that they did not expect to be seen, and wished the prisoner to be out and speak with them on the road. Prisoner, however, refused to do so, but said, if they would come into the garden in the front of the house, he would speak to them, and he should see them go into the garden if they went about the time they talked of. Prisoner went out that night, and had a look round by the plantations before they came, (to see if there were any poachers stirring about,) and he was in the orchard when he saw them go into the garden. They went into the field where the stakes were, and stood by one of the stakes. The lawyer then asked him what he thought of the undertaking, and he told him that he thought it a very dangerous thing, particularly if attempted with violence, and without plenty of help, and even then he did not think they would succeed. The lawyer, however, differed with him, and they had made up their minds to meet there, that night, and see what could be done. Prisoner replied, "you will do something to be spoken of, and I think you will repeat—take my word for it"—the same as they did before when they were there and took possession. The lawyer replied, "Nonsense, no one dared to break the windows open before, and take possession after they were in; but I am sure the soldiers dared not have interfered." "Well," replied the prisoner, "you know best, but I think differently." The lawyer replied, that he did not see the least fear if they had not used violence, and he could depend on all those they now had with them, except one or two, who were completely ruined on the last occasion; and if the servants could be kept from making an alarm, they should have every thing their own way till the morning, when the others would be there early to assist them. He added, that it was near the time that they were to meet, and prisoner might shew them the way across his fields. Joe said there was no occasion for that, as he knew the way, having been across two or three times since Michaelmas. They then left him (the prisoner.) This, observed Rush, was the Friday before the murder. They then went down the lobe towards the hall. Prisoner followed them at a distance and saw them go across the Potash lands to the Stanfield lands. He himself went as far as a fence to hear what they were doing, but he heard nothing more of them, although he remained for two hours, and it was nearly 11 o'clock when he got home. Prisoner heard nothing more of their proceedings till Joe came to him on the 23th of November, to ask whether he would allow the men off the farm to go with them, remarking, that if they once got Jermy's people out, they should have plenty of help, so that the men from Potash would not want to stop more than half an hour. Prisoner, however, refused to let his men go, and added, that he kept at home himself in order that they might not seduce his son to take part with them. Joe replied, that if he would not let his men go, they intended to do without them either that evening or the next morning; and explained that they had done nothing on the Friday previous, because there were people about. He then talked of calling on the prisoner in the evening, but

prisoner said he would rather hear nothing about it, particularly if they had made up their minds to the attempt. He should hear how they got on in the morning, that would be quite time enough, but he advised them, whatever they did, to wait till the morning. Joe then left him, and he thought a great deal about it, and had even a sort of presentiment that all would not turn out well, although he did not see the least fear of anything serious taking place. He had, however, a mind to bear if there was anything stirring, and he left Potash about eight o'clock, or a little after, as he would yet prove, in spite of Emily Sandford's evidence. He thought he would go as far as his lands went, and see if he could hear anything of the party. He even had some thoughts of going to the hall, but as he was walking along he altered his mind. When he got to the fence leading to the hall, he waited a few minutes, and thought he would go back, as he felt ill; but at that moment he distinctly heard the report of a gun or pistol, in a direct line for the hall. He then heard two more, and was struck with amazement, as the party had always said, if they took fire-arms, it would only be to intimidate, as they would not load them. Prisoner also heard the bell ring violently, and then hastened back to Potash as quick as he could, and went through the garden into the house. He (prisoner) did not intend to keep anything back, but would say all he knew. The lawyer, as they called him, appeared well dressed, and as far as he could judge, was not in disguise. Prisoner had seen Joe at Norwich several times; he always appeared as a porter, with parcels in his hand, and had always been seen by him, between the Swan Hotel and St. Giles' street. A man named Dick, who had taken part in the proceedings, he (prisoner) had seen in Norwich with a basket of meat, and once or twice with a horse. This, then, was the way in which he came to know that something serious had happened at Stanfield hall, on the night of the murder, and from want of his insisting in communicating the particulars to Emily Sandford, when he told her to say he was only out ten minutes, the most serious consequences had followed to him and his dear children. Under no circumstances had he thought that she could think him guilty of such a horrid charge, and he, therefore, did not insist upon it, as he ought to have done, when he told her what had happened. He would now call the attention of the jury to the remarks made by the learned counsel in opening his case, and having done so, he would proceed to remark on the evidence produced; and he hoped, having done so, Almighty God would make it clearly appear to them, that the party for the prosecution had completely failed, and that under all the circumstances of the case, the learned sergeant, to use the mildest expression, had been misled by his instructions, and that they, (the gentlemen of the jury) would, for the sake of his dear little children, he hoped, see the case in a very different light. The learned counsel, in opening the case, had pointed out what witnesses he intended to bring forward to prove this case, and also other things that he intended to produce against him. The first thing he mentioned was the pocket-book. Now, what was the history of this pocket book? Was it not a most gross injustice that that pocket-book should have been kept from him? He could shew, however, that there was nothing in it that went against him. The next thing was this witness Howe. His Lordship seemed to think that his evidence was of no consequence. But he would have them recollect the learned counsellor's remarks. The learned counsel had said it was the most im-

portant evidence, and that that witness was coming to prove that he (prisoner) threatened Mr. Jermy with an ejection for the other world. If they could prove such a thing against him as that, it would be important, whatever his lordship might say. What did they hear of this man? They heard that he wrote to the Mayor of Norwich, that they sent an electric telegraph message, wrote letters, and all that sort of thing, and yet he (Rush) never heard his name till the learned gentleman mentioned it in this court. They knew what sort of a man he was. They heard his (prisoner's) remarks at the time. God Almighty would protect him, for he never had such thoughts as that man uttered. He never had any ill-feeling towards Mr. Jermy, except that he wished he could legitimately and lawfully defeat him. It would be proved that he never had any such feeling against him. But what was the case? This fellow Howe, whose name he never heard till the other day, was produced to prove important things against him. From what had gone abroad by means of the reporters, he had received an immense quantity of letters as evidence against him, and which would shew that there was no dependence to be put upon him. It would have been most material evidence if the man had been honest and straightforward. He had letters, from people whose names he never heard, about him. Then came the evidence of Bacon. What did Bacon say? If Howe's evidence was nothing, Bacon's was nothing. He (Bacon) spoke of something that he (the prisoner) had said twelve months ago, and he had said that he was in a passion at the time. As to the pamphlet which had been brought forward, and the letters written by him to Mr. Jermy, he was perfectly willing to stand by them. They would shew that every thing that had passed between them had been done in a straightforward manner, and that no ill feeling and animosity existed. The prisoner complained that the witness Glasspoole had not been called to prove his hand writing instead of Jesse White; Glasspoole, he said, was an honest man, and knew his writing well, but that shrivelled up fellow White would swear to anything. After asking that all the letters which had been alluded to by the prosecution should be read at length, the prisoner said it was a most important thing which the jury had to consider. He (the prisoner) had a large family of children; God Almighty knew he was innocent, and he had not the least doubt that he should prove it. Notwithstanding the observations of the Judge, and the eloquent counsel for the prosecution, he defied them to bring an atom of truth against him. Extracts had been read from the Felmingham farm leases, and a good deal was made of them, and other papers had been brought forward to which he should have to refer. As to the leases expiring at Michaelmas, he should be able to shew that valuers had to be appointed to value the covenants, that such valuers had been appointed, but did not attend. Was he, as executor to his children, to leave his farm without having any compensation for the hay, turnips, &c., on the premises? He certainly had no right to give up the possession till the proper valuation had been made. The agreement signed at Felmingham, did away altogether with the agreement signed in Mylne street; the latter, therefore, was of no importance, and was not regarded by him as such.—The prisoner then complained of the way in which the evidence had been got up against him. Something had been said about his going out in the dark. God Almighty knew that he could satisfactorily explain that by the

witnesses he should call. As to the servants being out of the way at the time of the murder, it was clear that he had no control over them, and he should shew that they had not left on his account. It had been said that he had discharged a gun on the day of the murder. He should shew that he was in the habit of shooting sparrows, and that was the object for which he went out with his gun on the day in question. He should also be able to put a very different construction on the fact of his referring to the anecdote of Bruce, and his shedding a tear. As to the straw litter, he should be able to shew, that Futter had sworn what he had, only because he knew it would go against him on the trial. Instead of the litter having been there a fortnight, it would be seen, as another witness had stated, that it had every appearance of having been laid a long time.—The prisoner then adverted to the evidence of Watson, the butler. Before the magistrates, Watson had said that the man who committed the murder was a lowish man and stout; he could not see his face; there was every appearance of a mask before his face; he had a dark cloak, and as he passed he pushed his elbow towards him. And, in his cross-examination he said, the cloak had a cape on. He had no doubt that that statement had been forced out of the poor fellow, who, he believed, was honest in his intentions, but was intimidated in giving his evidence. The prisoner alluded to the plan of Stanfield Hall, and contended that the statements of the witnesses could not be true. He then complained that Blanchflower had not been examined, and said that if his lordship had any regard for the ends of justice, he would have insisted upon her being brought forward. Miss Jermy should have been also called. She would have spoken the truth, notwithstanding what such fellows as Cann might say. As to Cann, he was sure there never was a greater villain on the earth; and the way in which he had got up the evidence was most horrible. Referring to the evidence of Read, the cook, he said his only wonder was, that he had not sworn that she could see his face. His relief was that she would have done so, had she not known that it would not have agreed with what the other witnesses had stated. He had reason to believe that the woman had never seen any one in the passage at all, and that the whole of her statement was a most malicious falsehood. It was a most providential and extraordinary thing that, with all the searching that had taken place, the dress he had on, in the evening of the murder, had not been discovered. He had himself given instructions this very morning for that dress to be produced; and that to one of the most respectable men in Norwich. He was not ashamed to be seen in that dress, and he would put on that dress, and say that he was innocent, and that he had nothing on his mind of animosity or ill-feeling against Mr Jermy. He should shew that he had tried all the means in his power to oppose Mr Jermy, as far as legal matters were concerned. He had some most important documents—one in particular, dated November 21st—which would have shewn that that man was very much in his power. It would have been of advantage to him that such document should have been produced. It would have shewn the confidential terms on which his father had been with him, (prisoner,) and that he could never have done any thing serious against him, except so far as in legal matters it was necessary to protect himself. Now he would beg them to remember what the witnesses had said. Read had said something about his carrying his head on one side. He declared to God Almighty, that he never heard of such a thing

before, and he had asked several people since, whether he did or not. He had never heard about it before, and he did not know whether he carried his head on one side or not. It was most barefaced that such a thing should be said. Then she said, she had seen him repeatedly at the hall, and knew his general appearance. He did hope the jury would inquire into these things. He only wanted the truth, and he would have it out before the trial was over, if God gave him health and strength to do it. The woman said he (the prisoner) was walking faster than usual; and that Miss Jermy was standing between her and him. Why then was not Miss Jermy called? They would find from the evidence which had been given, that she would have been a most important witness to have called, if they had a mind to have the truth out. She was the one who, as Chestney said, passed through the hall at the very time the man was there. She was the last person too who left the drawing room. Why then not produce her? A boy younger than she had been called. That poor boy spoke the truth, and God Almighty knew that they could get nothing but the truth out of him. He was not like those shuffling police fellows, who would swear anything. If Miss Jermy had been called, she would have spoken the truth, as she had a better opportunity of seeing the man than any body else. Prisoner next referred to the evidence of Honor Holmes, the kitchen maid. Every thing, he said, which could be brought against him, had been brought forward; and it was his duty to shew that the facts were the other way. Honor Holmes had said, "They all went through the gate at the end of the bridge towards Ketteringham." Now this witness was a most important witness for him (the prisoner.) He would ask the jury to bear in mind the route which he was said to have taken. (The plan of the grounds in the neighbourhood were here alluded to by the prisoner.) Let them remember Honor Holmes' evidence. Let them remember what she had said about Clark coming to tell her that young men were at the gate, the time they stood talking by the gate, the distance she got before she heard the two reports, and then turning to the left in the direction of Potash. She went with all these parties a very great distance—I don't know how far—in the direct line in which this man (presuming it to have been himself) must have gone to the hall. It was, therefore, impossible for him to have gone there without knowing that all these people were present. There were these young people, three young men, and three young women, all coming from the Wymondham direction, in a plain open place, all laughing and talking. Let them recollect the time the witness had described, and bear in mind the circumstances which took place about her going to the Ketteringham gate. In this respect Harvey's evidence bore her out. His evidence, however, had been tampered with; but with regard to Holmes, Mr Evans had tried to twist her evidence about, but he could not shake it. He knew the Harveys well, and he was convinced that Harvey had been instructed what to say. They wished to make the evidence of the several witnesses tally, but they had totally failed. Read was made to say, that a sufficient time intervened between the two reports for a person to go round from the porch to the staircase hall. Yet when he asked her about the word "intervene," she said she had not made use of it. It was plain that words were put into her mouth to answer certain purposes. No doubt she gave her evidence first as it should have been given. Now let them consider about the

door banging to. They tried to account for that by saying, that it was a wintry night; but that could have no effect on such large doors, and it was most absurd to suppose that a man going there for such a purpose would bang the door. He said thus much from the evidence of the prosecution, and he defied any one to twist it about to the contrary. If the jury had any doubt about the matter, he hoped they would always refer to the depositions, which would bear out all the statements which he had made. If they would ask him, he had the depositions before him, and God Almighty would give him strength and power to make the matter plain to them. As to Holmes, it was important to consider the time she was gone. The time was later than had been stated, and he would prove it; they tried all ways they could to twist the matter about, but the whole affair had, thank God, been made clear enough to him. The prosecution seemed to say, "because you were out such & such a time, we must have the time accordingly." Let them remember too what she said about the paper—that she found it past Chestney's feet, and nearly at that end of the passage. Now he had no doubt that that was the very paper which Watson picked up and threw down again. They wanted to bring forward another fact. It appeared, that some weeks before the murder, they heard a noise outside the house, about eight o'clock, like people walking about. The witness said also, that it was like one person walking past the kitchen window. What on earth could that have to do with the matter? Was it likely that a person contemplating a deed like that, would walk past the kitchen window? If they brought evidence of that kind, it only shewed what evidence they would bring if they could. Five or six days before the murder a light was observed going across the lawn, and an appearance like a man with a cloak going towards Wymondham lodge; he was 300 yards from the house. The witness said she had seen about a week before, a light going across the lawn, but no man. Now, why was that brought forward? Simply because there was a dark lantern. Did they think, as men of business, as men of practical understanding, that a man going to do a deed like that would walk about the neighbourhood with lights, or go near the place with lanterns? It was a most absurd supposition. It was well known that he had had dark lanterns for years, and was in the habit of using them about the yard and farm. Where, indeed, was there a man with a large farm, who had not occasion to use dark lanterns sometimes? For himself he had used one for years. In the cross-examination of Holmes she said that she went to the bridge without a bonnet or shawl on, and that none of them went back for them or any thing else. Why was she made to say that? It was as clear as daylight, for they knew if they went back it was impossible that any man should have got up there and shot Mr Jermy. It was clear that there must have been parties there a long time before the deed was done. There was another thing he wished to mention. Why did not Harvey say anything about poor Mr Jermy's groan? And why should these people run away if they thought there was nothing serious? His impression was, that witnesses had been kept back. If the parties wanted to prove the real facts of the case, why not have all the people examined, and not let them, as some of them had done, come into the box and walk out again without saying anything. These servants were all standing there at the time, laughing and talking, yet not one of them was called. Harvey went before the coroner, but he had not been called now. If Mr Evans had not been an honour-

able man, he would not have had the depositions at all. He (Mr Evans) had promised Mr Mendham that he should have the depositions, and could not, therefore, refuse them. If they really thought it was he who had committed the deed, there was, perhaps, some excuse for the course they had pursued; but he should prove, before he had done, that there was never a man upon the face of the earth, who had been used as he had. He would ask—why were the reporters kept out of the room? Cann, Wilson, and Postle, knew very well that the evidence was false from beginning to end, and if the reporters had been there, the matter would have come out, and people would have seen how the thing was going on. He had read the act, and it was clear to him, that if the reporters were kept out, *he* should not have been excluded. The person accused had a right to hear what the witnesses said against him. It was idle to say that these were not real examinations; he could prove that witnesses were sworn, and were examined for several hours together. They might shuffle out of the matter by saying, that Mrs Bryant had been dictated to by Postle, and that Postle only went to say, keep your spirits up and carry it through. He had not done with these men yet. God Almighty would support him in spite of any thing that such men as Postle could do, or any such fellows—and Cann, too. It was clear that something had been kept back. If the witnesses were examined, he believed it would turn out that there were more people about at the time; that was his firm belief as he stood there. Now as to the evidence of Emily Sandford, God Almighty knew, that no one ever loved a woman more tenderly than he did her; and there was every excuse for her saying what she did, considering the situation she was in, and how she had been made to believe that he was concerned in the murder. All communication between him and her had been stopped. He had kept old Cann's reply to his letter enclosing a communication for Emily Sandford, which, as Sergeant Byles had said, had been intercepted. He knew how they had been working on her feelings, and he would leave the jury to consider the way in which her evidence should be received. There never was such a horrible thing on the face of the earth, as the way in which she had been treated. What had Holmes said about her? There was a mystery hanging about the matter, but God Almighty would fathom it one day or another. Holmes had said, that she saw Emily Sandford the day after the murder; she saw her first in the servants' hall, and she saw her afterwards go into the housekeeper's room to be examined, about three o'clock in the afternoon. That was most important, and should be borne in mind. Was there any probability of her being shut up in one room by herself, for twelve hours? That was the greatest falsehood on the face of the earth. He had no hesitation in saying, that she was examined over and over again. And Holmes herself stated that she saw her go into the housekeeper's room to be examined. It ought to be known where she had been, and how and by whom she had been examined. Did the jury observe how the counsel for the prosecution kept back about the newspapers? Would they believe that the servants at the hall could not see the public papers? Could they suppose that they did not know well enough about the dispute which had taken place between him and Mr Jermy. There never could be anything so bare-faced. Chestney admitted that she did know about it, and, if one of them knew, was it not probable that the others knew also? As to the witness Clark, i

s promised to him (prisoner) when he was called, that he should be re-called for cross-examination.—His lordship: He has not been called at all, I think, you may call him as a witness if you like.—Mr. Mans: Mr. Clark will be here in the course of an hour.—His lordship: You may call him when he comes in, but he has not been a witness yet.—The prisoner then adverted to the evidence of Futter. He would remember about his talking about the trunk of the tree laid down at the gap to pass over. It was only a piece of wood which he had put down, when he (prisoner) farmed both farms. It was now so dangerous to pass over, that not one in a hundred would venture to go that way even in day time. This lying Futter had converted the piece of wood into the trunk of a tree. It was most absurd to suppose that any one would cross the place at night. It was well known that Mr. Jermy was in the habit of going to Potash to him (prisoner), as often as he went to him (Mr. Jermy.) The track, therefore, was made as much for the one as for the other. The way, however, was now a very dangerous one; in dry weather it might be walked, but he deterred any one to pass it in wet weather, without falling into the ditch. Mr. Standley's evidence was not commented on by the prisoner. Standley, he said, was the best evidence as to the time the murder took place, and he contended that it could appear from it, that the affair happened at a later hour than the other witnesses stated. Justice constable Pont's evidence was then considered by the prisoner. He alluded to Pont's statement, that he had mentioned about young Jermy being an enemy of his. Emily Sandford, he observed, never heard anything about it, yet Osborne the policeman said that she was there at the time. When he, (the prisoner,) first went into the room with the policemen, he went up to the window, and never stirred from the spot till he left the room again; and if Pont had not been a rogue enough, when he left the court, to contradict the other fellow that he had said to the contrary, the truth would have come out. The jury must naturally think that it was most likely that such was the case, as it was near the window that they were taking the papers out. In reference to the prisoner's depositions, he observed, that an attempt was there set up by him to shew, that this conversation about young Mr. Jermy's being his enemy might take place while Osborne was not there. In fact, however, he could not succeed, for Osborne intended to be there when the closet was searched. As far as Osborne's evidence was concerned, the prisoner severely censured him for saying that he saw him go upstairs, when he afterwards acknowledged, that he only believed that he went, because he heard the police say that they were going. Mr. Mans' evidence, he observed, plainly proved that Osborne could not possibly have seen him from the position in which he had stood. The prisoner then descanted on the discrepancies between these witnesses' descriptions of what passed, and those of the other witnesses, and asked what truth there was in a man that could tell a story in one way, for, if he would do that, he would do so in another. Then, as to the boot story, he believed that in the first description Pont gave of them, he said that they were getting dry on that side next the fire, but looked as if they had been washed.—The prisoner had afterwards said, when before the court, nothing about their being dry, but that they looked as though they had been wiped. And what was all this for, but to make it appear that they were the boots he (the prisoner) had had on? It

was astonishing what desperate swearing there had been on this occasion. There was that poor fellow Savory, who had been examined twenty hours, why did they not bring him, and why did not they bring Hubbersty, the man who had taken the wedge from him. For his part he did not even know that the door had been done up, till Savory spoke of it at the bridewell. That was the first time too that he heard any thing about washing the boots. Emily Sandford in her evidence had said that the slip shoes might have been mentioned that morning (the morning after the murder), but she heard nothing about the boots, whereas Osborne stated that he, (Rush) had said that Savory and she could clear him, for Savory washed his boots, and she knew that he had his slippers on. The fact was, that he would produce the very boots that he had on that evening. There was no mystery about it, although they had been so much talked of. He kept them upstairs, that the servants might not always know when he was going out after poachers; for after all that was said in the papers about there being no game, he was in a position to prove that there was. Then as to what Pont said about his going up again, and finding another pair of boots. The fact was, as came out in the cross-examination, that he only accompanied him (the prisoner) for the express purpose of putting on a pair of boots, with which to go to Wymondham; and yet the fellow turned round and swore that there was fresh dirt upon them, although they had not been out of the place for five or six days. All these things might not be material, yet they bore on the case in this respect, they shewed that if a man would swear deliberately a falsehood on one subject, he would on another. After deprecating the conduct of the magistrates in not allowing the reporters to be present at some of the examinations, he went on to remark about Thompson's evidence, with respect to the door being broken open, as given in his depositions at the time of the inquiry, he observed that whatever could be brought against him, was swallowed up with the greatest greediness, and yet this fellow had never been reprimanded for swearing to such a lie. He expressed his intention of bringing Savory before them, to prove the position of Potash, and the fact that there was a quantity of game. He wished that the counsel for the prosecution had called Savory as a witness, for there was nothing that they could do that would induce Savory to tell a lie. Another gentleman they had not brought forward—he referred to Mr. Stubbs, the only man who was called before the magistrates to shew a bad feeling between the prisoner and Jermy. Mr. Glasspoole, who was the most proper person for the prosecution to bring forward, to prove his (the prisoner's) writing, would have shewn that Stubbs had a great ill-feeling against him. With reference to the publication of the pamphlet, the prisoner observed that he had no ill-feeling against Mr. Jermy, but what he had exhibited publicly. And the prosecution might as well have brought forward the pamphlet which he sent to Mr. Jermy, for he had sent him one enclosed in an envelope. This would have shewn that he acted openly and honestly. The prisoner then proceeded to refer more particularly to the depositions taken at his trial. Mr. Dean, he said, had plainly shewn that, with respect to the drain which he (the prisoner) was suspected to have passed, that it was eight or nine feet wide, without any fence, and that it was a very dangerous and dark night. The pond, too, was shewn by Mr. Dean, to be ten or twelve feet deep, and a very dangerous place for any person who attempted to walk along the bank on the Stanfield hall farm.

The prisoner also alluded to the plank, and to the garden, stating that it was weak and dangerous, over a deep ditch, and that he could never think of using, except in the day time.—Mr. John Cann was the next witness, whose evidence came under the prisoner's consideration. He alluded in reprehensive terms to the plan which Mr. Cann and the magistrates had pursued, in reference to obtaining the evidence from Emily Sandford, and then went on to remark that Mr Cann had observed, that Watson was examined during candle light, partly. He wanted to know why Mr Cann said partly; for anybody must know, that at ten o'clock at night, in November, a candle was required. The fact was, that he was thinking about something else, and anything that came first, he let it out, no matter what. He, the prisoner, had no doubt that a great deal was kept back in reference to Watson's depositions in the brown parlour. If he could get that cleared up, the matter would all be over in a very few minutes. It was then that the true evidence was given. His opinion was from what he had seen of Watson, that he was a good honest fellow, and that he had no bad motives. But his evidence in the brown parlour was not what was wanted, and then came out that tale about the mask, and the black face and eyes. It was clear to him (the prisoner) that that man gave his evidence very differently in the first instance, to what he did after. When Miss Sandford's first examination was taken at the bridewell, it was said, that she was not sworn; did not they see that Mrs. Bryant was a kind of go between, as though Miss Sandford did not know what an oath was; and yet at this very time Mr Cann pressed her closely about being on oath, about giving her evidence as she should do, and about what a solemn thing it was to be on oath. He asked the jury if, on such an occasion, it was an act of justice to him to exclude both himself and the reporters. For himself, he should not have cared, but if the reporters had been present, they would have seen at once that every thing would have blown to atoms. Only Hubbersty, Cann and Co., were allowed to be present on that day, manufacturers of evidence got up against a poor man, who was not allowed to be in the room when such evidence was given. Mr. Cann, he believed, also said that he did not know whether anything was read over to Emily Sandford on that occasion. Would they believe it? Would they believe that he was in a room at the time she left, and did not know that her depositions were read over to her, or whether she signed anything. Then as to her not taking the oath, would they believe that Mr. Cann was out of the way when the examination commenced? After some few observations on Mr. Cann's ill-treatment of him, in, after professing to be his solicitor, refusing to be so, the prisoner went on to remark that Miss Sandford was examined again on the first of December, and again on the Saturday; on which occasion it came out as to his (the prisoner's) being out longer than ten minutes or a quarter of an hour on the night of the murder. He made no objection to this, because it was so, for it was the truth. The prisoner knew by the manner of them, that they were well aware of the evidence that was about to be given. If Mr. Wilson did not, then there never was such a big villain, for he said to her, "What you have said is not correct, he was seen by three or four other people." He (the prisoner) never wished to stir out of that place if that was not the case, and it was enough to make any person have an ill-feeling against the magistrates. It was enough to make any person use violence.

When he (the prisoner) did behave himself violently it was when he was talking about the manner in which he took the evidence, when Mr. Cann turned about and told Emily Sandford that she was not saying what she should do. Mrs. Bryant also spoke to her, and of course he could not tell what she was saying, and he was obliged to thump on the table two or three times, before she would leave off. Mrs. Bryant said she was handing her some water; but even that might as well have been done openly as secretly. Whenever the magistrates found that he was getting anything out of the witness (Emily Sandford) that would assist him in his defence, they stopped him immediately; was not that unfair? and yet it was done over and over again. Mr. Cann said he only found one letter which passed between himself and the prisoner; and yet he had been employed to settle an executorship of prisoner's father-in-law; and also an ejectment against his mother last year. There were several letters at the time in the carpet bag when it was taken from Felmingham: and was it not an unpardonable thing to take the papers away without a memorandum of what was taken. Rust then alluded to the fact, that none of the servants professed to see him at the hall on the 21st of November, and yet he said that it had been plainly proved that he was there. On the very morning he had heard young Cann give directions to his father to send word to Wymondham to say that he could not be present at the meeting. If he could have got that out of any of the servants, who would Miss Sandford's evidence have been about his copying these documents, and taking them to the hall? it was the last word he had to say, every atom about keeping the papers had not a shadow of truth in it, and he would prove it to them, part of it by their own evidence; and if part of it was false, he would leave them to guess what the other was. That such agreements were promised by him, (Mr. Jermy) were agreed to by him, and written by Emily Sandford, did not deny, for he kept them ready, for he knew that Mr. Jermy was an odd temper, and that he might sign them at any time; but he never thought of such a thing as Mr. Jermy's name being there until he saw them in the Castle. He would look at Cann in the face and say this, for God Almighty knew that he was innocent; and it was clearly proved by Miss Sandford herself, that it was impossible for documents A and B to have been written that morning. He now came to the secret place; God Almighty knew whose secret place it was. It was no secret place of his then. He defied any of them to produce anything important from that secret place. With that said that the papers were taken from under the floor before he saw Miss Sandford; and yet Hubbersty stated that when he went that morning, there was only Miss Sandford and Mr. Cann there. None of these witnesses must have sworn falsely. Emily Sandford had not been examined less than twenty times, besides the times in which her statements had been taken in an underhand manner. (The prisoner) would have thought that after all this, her evidence ought to have been as clear as daylight. They would find, he hoped, that no one had ever perjured herself on the face of God's earth more than she had. In fact, poor thing, she had said so much, that she did not know what she had said. As to the two marked covered books being found under the floor in the closet, what in the world could have afforded him any reason for concealing them. As to their being those produced by another witness, it was perfectly ridiculous to suppose that that would confirm the truth of his having written the papers found in the [redacted] [His Lordship reminded the prisoner that it had been stated that the books were found in the secret

place, but in the closet. The prisoner thanked his Lordship for the correction, and proceeded to comment on the evidence given by Watson, the butler.] Watson, he observed, had said that he did not remember saying anything about there being anything on the man's face. Now just look at that. Did they think that if that man, as he had once described, had a mask on with black face and eyes, he would not have remembered it? He had said, too, that he might have seen Mr. Cann in the pantry that day. So, then, it appeared that Mr. Cann was in the pantry that day, and they no doubt went backwards and forwards to get the thing up. Witness had heard nothing of the cloaks. Now he knew as a fact, that the cloaks were taken, and why should they want to deny it? Why, because they did not like to have it said that the looks were seen, and that the parties gave their evidence accordingly; but what else could they have seen taken to the hall for? Prisoner then proceeded to some length to remark on the slight discrepancies which were apparent in the descriptions given by the servants of their positions at the time of the murders. He escalated at some length on the fact, that a wig was put on to a person at the inquest and exhibited to Watson. Watson however said, that it did not resemble the person he saw in the passage. Everything in fact, he said, was taken out of the box, and handed up and laughed about. It was well known that a few years ago he (the prisoner) was losing his hair, and got a barber here in Norwich to make him a wig. He wore it, however, only a few times and sent it back; a action was then brought against him in the County Court, and he put the wig on there, when his lordship said that no one could think of making him pay for such a wig as that. He afterwards got another in London, but wore it very few times. Prisoner concluded his comments on Watson's evidence by remarking, that he (the prisoner) had been to Stanfield Hall a few times recently, and that Watson had lived at the Hall so short a time, that he could not possibly have become well acquainted with his figure and appearance. Rush then proceeded to review the evidence of Eliza Westney. He remarked that she had described the tempt upon her life—her seeing the murderer coming on the dining room, levelling the pistol or gun, and firing it—as a momentary act. She remembered no more, she said, till she was at the foot of the staircase, and in one of her examinations she said, that she could not see anything about him distinctly. In one case he had said that he had not a cap or hat on, and in another, that she could not say whether he had a hat or cap on. She did not observe the whiskers, but the form of the head; she observed that it was flat, and at his hair was bushy, and apparently set out. But now, he asked, could she say this after having sworn that he did not know whether he had a cap or hat on, and all is too just at the moment that she was having a gun fired at her, and when, Mr. Jermy, jun, having been recently shot, there was a good deal of smoke in the hall? But after all what was very conspicuous (for God Almighty had been his guide and counsellor) after all, in spite of everything that had been done to convict him, they could see that though Mr Jermy had been a persecuting man, he (prisoner) had never had an ill feeling against him—he had had ten times more ill feeling against his solicitors. This girl now said that she observed a peculiarity in the carriage of the head; it did the jury think it likely that at such a moment she could do so? Besides there was nothing about it in her two previous examinations; but the fact must be that, poor thing, it had been suggested to her. For s (the prisoner's) part he should think that he had nothing so peculiar about him, nothing but what was common to hundreds; but some persons had told him

that there had been caricatures of him published, and that they were something like Mr Woolbright. This was shocking, and shewed the lengths to which they had gone—poor things! After some comments on the fact that none of the servants saw the assassin distinctly, the prisoner proceeded to consider the evidence of the girl Read, and observed that he was quite certain, at the time he cross-examined her, that the evidence which, she was said to have given before the magistrates, was not given by her. Witness said "I do not know the meaning of the word *intervene*; and I do not make use of words of which I do not know the meaning." The words in the depositions were, "sufficient time *intervened* between the first and second reports for a man to go from the hall door, round by the side door, to the staircase hall." She might, indeed, express herself something like that, but she never made use of such an expression. Now he was speaking of the inquest, he would say that the coroner had very properly remarked that it was only fair that the accused should be present to hear the evidence of the principal witnesses against him. The coroner's jury were kept waiting, it appeared, because the magistrates pretended that they wanted the prisoner and witness at the room at the bridewell. The evidence of the medical gentlemen next came under the prisoner's consideration, but he made very few remarks upon them. He thought it wrong that any of the pieces of lead should have been kept back, for twenty pieces were as easily taken care of as five or six, and would have better shewn their irregularity, if they were particularly irregular. The fact was, that there was an attempt to make it out that they were pieces of lead cut from the bullets, some of which were found with the caps in a small box in prisoner's bed room. He would assert, however, in spite of what the medical gentleman stated, that shots were never taken out of game in a round state. If any substance was hard enough to stop the shot, it was sure to injure the shape of it. Then there had been a deal of talk about the paper taken out of the body, that it was a foreign substance. Now this he believed was said because they knew he had been to France, having learned it from his pocket book. In that book, as he had shewn to some people in his room on the previous night, there had been memorandums of places where he slept at on such nights, but Cann had rubbed them off; and the memorandum of where he was on the night referred to by the fellow from London, had been, he had no doubt, rubbed out too. There had been a report in circulation about his attending a Polish ball; the truth was, that in his pocket book, he had made a memorandum of a Polish ball, although he never attended one. With respect to that London fellow, he hoped they would hear enough of him before he (the prisoner) had done. He had had about twenty letters about him. The prisoner then proceeded to remark upon the evidence of Emily Sandford, whose was, he said, the only evidence against him. In no instance scarcely, had this witness spoken the truth, no, not even in her first statement, that he was out only ten minutes. As, however, that evidence was entirely his doing, he declined taking advantage of it. Emily Sandford had said that she did not remember the prisoner's coming to the door of her bedroom, and talking there without coming in. Now he had put that question to her, because he knew that if she answered a few plain queries straightforwardly, he might guess what would be the character of her evidence generally. Then as to what passed when he was standing by the bedside. Would they believe that she could only remember just what little she had told them? It was ridiculous. Besides did they not see that what he mentioned to her had a reference. It

had a reference, and she knew what it was. Again, who could believe that she sat twelve hours tramped up there in that cold pantry without looking at her watch. [The prisoner then alluded to the envelope of the old will of the Rev. George Preston, which had been alluded to in Emily Sandford's evidence, and asked to have it produced.] The gentlemen of the jury had also heard what was said about three o'clock. She did not want to make the time she was at the hall appear longer than it was; that was quite certain; and as she had already stated that she left about twelve o'clock at night, she therefore tried to scrow some hours off the forenoon. They might think that it was not important his making the remarks as to how Emily Sandford had conducted herself previously to the 28th of Nov., but after hearing her answer those questions as she did, in respect to her living well, and saying her prayers, and all that sort of thing, he would call upon the jury to consider themselves for a moment in the same situation, and ask themselves if they could think she would do such a thing as say what she had done about the papers. She had been bad in doing that, but she had been put to it, for in reality there never had been a kinder hearted creature on the face of God's earth; he never before saw any appearance of such conduct. Then what did the prosecution want the jury to believe respecting those tears? He acknowledged that there were tears. The fact was, that he had arranged for the concerts; he confessed, however, that he never intended to go, and so he gave the tickets to his daughters and the teacher, thinking that if Emily Sandford still insisted upon going, they could go even then. When he told her, however, she fell in with his views so completely, that it made him vexed. And he was very vexed, and it did make the tears come, and he said "come and kiss me." [The prisoner here appeared much affected and shed tears.] But this was not the time when they talked about the anecdote. It was the time when the poachers were mentioned. It arose entirely from the cheerful manner in which Emily Sandford agreed to give up going to the concert, and from knowing the way in which he had behaved to her, and the manner in which they were living. The statements of Emily Sandford had been completely altered, not substantially perhaps, but as to the times mentioned by her. They would see from the manner in which she had given her evidence, and after they heard the evidence which he should bring forward, that it was an utter impossibility for him to be at the hall at the time of the murder. Not a shadow of proof could be brought forward against him. It was all very well to say that it only took a quarter of an hour to walk from the hall to Potash. The jury would know, that on such land, with two or three large ditches, it was impossible at night to go that way in double the time; and then, too, if he were the guilty party, he would have to go through the place where the servants and the young men were standing. Prisoner referred to Harvey's depositions; he contended that one person could not have committed the murder. Could they believe that, knowing the hall as he did, he should, after firing the gun, go round to the side door? Would not that necessarily call the attention of the servants of the hall? It was absurd to suppose that a man would run into the midst of eight or ten people while contemplating such a deed. In spite of what had been said, he contended that there was not time for a man to have gone round from the porch to the staircase between the two reports. It had been endeavoured to be shewn that he had consented to defray the expenses of Jermy and Larnier

coming down to Norwich. It had, however, been proved that he consented to defray the expenses of Jermy only. He thought he could employ his (Jermy's) time in the garden; but Larnier was a man with a family, and he would have nothing to do with paying his expenses. A great deal had been said about his coming down to Potash with Emily Sandford. Now he wished to know, why she wanted to accompany him so badly when they were driving to Stanfield? This was a most mysterious thing. He had not the least idea of what she meant by this rigmarole tale she had been telling. She knew the nature of the country well, and it was very strange she should insist so much upon going with him. Then with respect to what had taken place at Mr Stacey's; she (Sandford) had stated several circumstances which had occurred then. He (prisoner) had told her candidly, that if he could have come to terms with Mr Isaac Jermy, he would not have taken the steps he had with reference to Thomas Jermy the owner. There was no concealment on his part. As to the two papers written at Potash, they were written two days after she had been there; the dates only were omitted, and it was intended to insert them if ever an agreement should be made. It was well known that Mr Jermy had said, that if he could have the interest on his debt regularly, he would rather have it than the principal. He had told Mr Jermy that there was a will made in 1819, of Mr Preston's, in which he disposed of his property, to the amount of £42,000, in a certain way. He gave him a copy of the will which was very soiled. Not one in a hundred knew it, but that money was his children's. If he could have proved the will, he should soon have done so, but the copy that he had was useless for that purpose. Every one, however, would say, that all his transactions with Mr Jermy were straightforward, and that no animosity existed between them. Referring to the letter, said to have been written to Emily Sandford by Rush, the copy of which was destroyed by him, the prisoner admitted having received, and being angry with her for sending it. He denied, however, that it referred to his signatures appended to the agreements; he said the letter alluded to his supposed intention of marrying again, which she always seemed to dread, and it was because he did not wish such a communication fall into the hands of his family, that he was angry with her for writing on the subject. If she had these objections to signing the papers in Norwich, any such existed, & all that sort of fine feeling, would she not have acted differently with respect to the papers she signed at Potash? It was most horrible to think of such things. But, poor thing, he did not believe her to be guilty; there must be some unaccountable mystery about the whole affair of the papers. There was nothing wrong on her part, but the case had been manufactured by Hubbersty & Co. That "secret place" had been made a secret place by those parties for the very purpose. He should be able to shew that it was utterly impossible for there to have been two different papers done at Potash. It was a gross lie to say there were; and if a lie would be told in one instance, it would be another. Sandford had said, "After I had been there a week, he said he had some more work for me to do—some more copies to make." Was that likely way in which he should address her, after all the sobbing and crying at Norwich and at the hall as she said, the very same thing at Norwich. A woman would not have remonstrated against such a thing, if she had such fine feelings as she had expressed? As to what had passed between him and Mr Jermy, Mrs Jermy could bear him out, that

young Mr Jermy was ordered out of the room, because he (Rush) would have nothing to say while he was there. He had no ill feeling towards Mrs Jermy for what she had said, nor to the servants. From what had been said, they might fancy he was guilty, and were, therefore, in some measure excusable, but in the course of time, the whole matter would be brought to light. It was true he had said Mr Jermy was a strange man, but many people had said that as well as he. A great deal of fuss had been made about his drinking spirits. It was said that he drunk out of the bottle; he never heard of that before, and he was sure it was an addition of somebody's. It was evident that the witness who stated it had no friendly feeling towards him, and if he had really drunk out of the bottle, he would have said so in her former examinations. It was the basest lie ever told on the face of the earth, and she knew it well. He only took some gin in his tea, as he was in the habit of doing when he was unwell. Something had been said about the keys he had lost and found; that was fresh, too. He might have got out of bed and looked for them, but he had not the least recollection of the circumstance. He believed he was ill when he went out; he frequently suffered from a violent bilious headache, and this would account for his strange demeanour. As to his being tipsy, the brandy or gin which he took with his tea might have made him worse, as it sometimes did. It had been said that his stockings were muddy, and they knew well that that was not a clean country, and that stockings might soon be dirtied; but it was ridiculous to say there was any thing out of the way in their appearance. He did not see how such a circumstance could be brought to bear against him. A great deal had been made of his saying there was a fire at Melmingham. That was brought to shew that there were some papers burnt, but it did not prove any thing of the sort. It was a perfect farce to bring such matters forward on the part of the prosecution. Alluding again to Miss Sandford's evidence, he said she might know that he was not guilty of this most horrid charge, but her feelings had been worked upon. She knew she had no one to depend on, for her friends could not help her, and she had been induced, therefore, to say almost every thing they wished her. The trials and temptations she had undergone, were most wonderful. It had been alleged that the servants had been ordered away, that he might the more readily commit the crime. Now they only kept two servants; the one, a pretty good one, who went away last, and a little girl chiefly employed in sewing, and who was not then wanted. After again mentioning that he had fired his gun on the day of the murder for the purpose merely of shooting sparrows, and that his vexation on the evening of the same day was occasioned by the disappointment he had caused Miss Sandford; the prisoner said he could prove he was out only half an hour after tea. This might be shewn from Emily Sandford's evidence before the magistrates, when he believed she was inclined to speak the truth. If she had adhered to that, it would have been clearly shewn that it was an impossibility for him to have been to the bridge during the time he was absent—even supposing no one had been there. Then there was another tale about the fire in the bed room. That, he supposed, was lit by Hubbersty and Co., for the purpose of burning his papers. There were five documents spoken to, and they only found three. They were, therefore, obliged to invent some means of accounting for the absence of the others. As to the time

at which he went to bed, Emily Sandford had at first said it was from nine to half-past, but afterwards stated that she only said so from supposition. Would they believe that she went into her bed room without winding up her watch and looking at it, and having the time impressed upon her mind? The witness had asked him what was the matter; he told her that something had happened, and he would presently come and tell her every thing he knew about it, and he intended to do so. She afterwards said she would rather not hear about it, but he would have insisted on telling her if he had supposed for a moment that she would suspect that he was in any way concerned in the crime. Prisoner made further allusions to documents said to have been copied and signed by the witness, declaring the whole affair to be a fabrication from beginning to end, and that the most bare-faced perjuries had been committed in court. After expressing a hope that the jury would be patient while he detailed the statements he had to bring forward, he commented again on the discrepancies in the statements of the witnesses, occasionally exhibiting some degree of warmth and violence in his manner. He then alluded to the evidence given by Mr Pinson, on which he said he had very few remarks to make. Mr Pinson had intercepted the letter he had written to Emily Sandford, telling him that it was wrong of him to write it, and that it would prejudice his case. The letter was given to Mr Cann, who addressed the following brief communication to Mr Pinson on the subject:—"Mr Pinson—I will thank you to state to Mr Rush that I have communicated the contents of his letter to Emily Sandford.—W. R. Cann." They had heard how those contents had been communicated. He was desirous to tell her, that the affair was not quite so bad as she thought, but not a word was said by Mr Cann to her about his (the prisoner's) innocence. He thought it was but right and fair that this should have been mentioned to her, in order to prevent her mind being prejudiced and worked upon. She might have known enough of his feelings and of the way in which—thank God—he had lived, to know that he could not be guilty of so desperate a deed. The evidence of Honor Holmes next came under the consideration of the prisoner. He particularly noticed some alleged discrepancies between her statement and Harvey's, as to the reports that were heard in the hall. He complained that nothing had been said by any other witness about the groan, at first said to have been heard by Holmes, coming from the hall. He said, if one of these witnesses heard it, all must have done so. It was ridiculous to suppose that three men and three women should run away frightened by the report of a pistol, or suppose that young Mr Jermy was angry with them and intended to alarm them. His firm impression was, that there was more than one person seen, otherwise these people would not have run away as they had done. The evidence of Holmes was the most important of the whole; and they could not shake her testimony in the least. She saw E. Sandford go into the housekeeper's room to be examined. She said all turned round when they first heard the report; they had all, therefore, an opportunity of seeing what people were about. Prisoner again referred to the evidence of Mr Standley, contending, as before, that from his testimony, it was clear that the murder took place at a later hour than had been stated. He urged that none of the servants knew certainly what the time was, and they only stated what they did, because they had heard that he (prisoner) was absent from home about that time. The whole thing was manufactured from

first to last. Referring to Mr Nichols' evidence, he contended that it was absurd to suppose that the paper found by him was a cartridge paper, as suggested. He alluded again to the evidence of Jesse White who he said was called to screw up his courage to swear that the papers were in his (prisoner's) hand-writing. The man might well shake as he did in court. Then as to all that stuff about Jarrold. For himself, he never purchased such copy books as had been produced, as he did not know what was necessary of that kind for teaching his children. If the man had been honest, he would not have shaken as he did in cutting out the slips of paper. He defied any one to cut out pieces matching the size of the labels of the two books, that would exactly correspond with each other. As to the transfer of the faint lines, he contended that if the case against him had been a plain one, they would not have had recourse to such shifting and trumpery evidence. With regard to that rascally fellow Howe, it was a monstrous thing to send for him at the eleventh hour. God Almighty had put it into his (prisoner's) head, to state that Howe was a big villain. In consequence of what had been put in the papers, he (prisoner) had had many letters about him. Then Stubbs had been brought forward, and a bigger villain never walked the face of God's earth. He had never paid him (prisoner) a farthing of his rent.—His Lordship said that Stubbs had not been called.—Prisoner said he had read a long deposition of his, but he supposed they were afraid to bring him into court against him. With regard to Mr Bignold's evidence, he did not believe a gentleman like that would make false statements willingly. There was no question, that the signatures were not Mr Jermy's hand-writing. Mr Bignold, however, had mentioned particularly, that the I's were nothing like Mr I. Jermy's. Now it struck him, that the I's were the only letters that had the least appearance of similarity with Mr Jermy's. Some evidence had been given touching a ramrod that had been found, but he did not see how it implicated him in the least. As to the guns, one of them was of the usual size, the other certainly was a short one; but to say that such a gun could be carried in the way described by Watson, was ridiculous. The prisoner then commented on the evidence of Bailey. He said, that it was well known, that he (prisoner) often inquired for Mr Jermy, in consequence of his having to make some arrangements with him. He went past the lodge while Bailey was at work there; besides, Mr Jermy passed that way nineteen times out of twenty. He (prisoner) then turned back again, and went towards Potash. Was it likely, if he had contemplated such a murder, that he should have let other people know who he wanted to see? Such things, however, had been mentioned to set public opinion against him. The prisoner repeated his assertions, that the witness Sandford had been sworn at the various examinations she had undergone at the bridewell.—The Judge then addressing him said: If you are likely to be long, I am afraid the jury will scarcely be able to attend to you.—The Prisoner: I shall require at least four hours more.—His Lordship: I do not at all complain, but I am afraid the jury will not be able to keep up their attention.—The prisoner then made some further allusions to the examinations at Wymoutham bridewell, and at eight o'clock applied to his Lordship that the Court might adjourn. An adjournment accordingly took place, the prisoner having occupied the entire day in his defence, with the understanding that he was to resume it on Wednesday.

The Court opened at the usual hour this morning. His LORDSHIP took his seat a few minutes before nine o'clock, and the prisoner entered the dock very shortly afterwards. He appeared less excited than usual; indeed, there was an air of indifference about him, which he had not manifested during the whole of the proceedings. He commenced his defence in the rambling and incoherent manner which characterised his address yesterday. It is almost impossible to give even the different points of his defence with certainty, owing to the excessive diffuseness and unintelligibility of his style. As a specimen of it, we give the first part of his address this morning *verbatim*. Our readers will see that it would be wearisome in the extreme to give the remainder in any other than a condensed form. He spoke, therefore for the first few minutes as follows:—

There was one or two little things, my lord, that I passed over in making—in intermixing my paper yesterday. You will find, gentlemen, when I come to remark to you, that I took no observations upon the part of the evidence that has been adduced, that is, the part in respect to Emily Sandford. If you recollect, it is the finishing part of her examination in respect of those papers. She says, in her cross examination, "Cannot remember seeing prisoner." This was nearly at the completion of her examination; it was the time that some one was called—Oh, Mr Clark—the time that Candell Clark was called in to witness these documents. She went on, and, seeing his name, I turned over a leaf, and I never called your attention to the thing. I have no doubt but you recollect it—my putting the question to her, she said she could not remember seeing prisoner putting his name to the paper which Mr Jermy's name was then signed. This was when I pressed at the last of all, upon these agreements that she pretended to hold. If you recollect, she also admitted in a question that I put to her, of being able to write several different hands, which was a fact; she had at all denied it, I would have brought it to her recollection in a minute, that such was the case. I would have defied any person to tell the one from the other. And then another thing is, if you recollect, she was sure no material evidence had been omitted by her as to going to the hall on the 10th. Nothing was said by witness respecting Mr Jermy's having alluded to her being a French doll. Then mind you, on the pressing on her, she said that she heard that I should say so. Then, about her wishing to go to the hall, and wished to remain in the gig, and told of her not having told that she did go into the hall. Now, you know, recollect all what has been said about this. I say, and I contend, before I have done, that I will shew your lordship, or, at least, will shew you that there is no probability, no possibility of such papers having been in existence when they pretended to be in existence on the 21st of November, from the remarks I have made in respect the two dates, and as her having said positively they were all three alike; it is a complete contradiction of her evidence. It shews that such transactions as she describes never did take place, nor any possibility of its taking place, from the manner in which she has given her evidence.—His lordship: I did not collect what you said about going to the hall.—Prisoner: It is that which I am going to relate, my lord, because you will find the different tales that she have told about that, you will find her examination, her first examination, it was different as possible. There was nothing said about the time being fixed in the morning. All this

omitted. It was then stated, you will find, if you recollect the depositions, her first statement, that there was nothing said about that till the gig was ordered, and it was fixed at eight o'clock on the night, that is to say, on October 10th. There was nothing said about her going to Stanfield hall in the first depositions till the 10th. Then if you come to consider of the improbability, and not the least pretension whatever, because what could any one want to fix that time to go off to Norwich, and then take her, as you have heard, about going to this here place? This is all omitted; they know the impossibility of any thing taking that sort of place. It is all omitted in this part of the thing. I hope in consequence of her having sworn to that—and mind you there could be no pretension—this deposition was taken for several hours before the magistrates at the castle—there could be no pretension to make that statement, that the time was not fixed till eight o'clock to go on the 10th of October. Only consider her different versions and different tales, and the way in which she has brought it up. It is the most incomprehensible tale that ever stood upon the face of the earth, and no man could look at the tale, is compared with going up to the hall and that sort of thing, must think that the whole tale is a fabrication from beginning to end. [But we must spare our readers. We have given a very mild specimen of the prisoner's style, and to save time and space, must give the remainder of his defence in a more abridged, and, if possible, a more comprehensible form.] It was quite evident, he said, that the parties were endeavouring together to make him appear guilty, for she knew very well that he had no real ill-feeling against Jermy, and she knew, too, that many of her statements about the bills were wrong. Then as to the ninety-nine sovereigns which Emily Sandford had of him, he had never had that back: but he did not know what amount of money she had by her now. The prisoner then referred to the witness Howe, observing, that that fellow's evidence would have been important if he (Rush) had not happened to have learned the character of the man. He said that he had received letters with several signatures of respectable persons, stating that they had heard Howe say he would come down here and give evidence on either side for £20. Then in reference to the little boy Smith, who, he said, had been called to criminate him about the straw. Before the coroner, questions were put for the sake of getting him to say he was called from quite another part of the field for the purpose of putting down the straw whereas he now said, and not truly, that a quantity of straw was going past, while he (Rush) was present, and that it was put down for the pigs to go up and down upon, merely because the place was excessively dirty. It was quite plain that the counsel wanted to make the boy swear that there was some laid down on the Friday night on which he (Rush) was out; the boy, however, knowing that it was not so, said no at once. The learned counsel had then very unhandsomely and illiberally endeavoured to shew, that the field did go to Stanfield hall. Well any body knew that: but even he (prisoner) did not even know when the place was littered, and the boy plainly shewed what the straw was put down for even then.—Then Mr. Coleman started about measuring the distances well that might be all correct; and Mr. Coleman proved plainly there had been beans there, for he had seen the men being them. But Futter said he did not know whether the straw had laid there more than a fortnight or not. Why, they all knew as men of business that it was easy to tell nearer than that. And would

they believe that man's evidence about the time? Why, when the question was put quick to him, he contradicted what he had before said, and then spoke what was a fact. As to Pont's evidence, his words differed from all the others, as to the statement about the time; whereas if it were a straightforward tale, all could have spoken alike. And so far as saying anything about young Mr. Jermy's being his enemy went, it was ridiculous to suppose that if he was guilty he should have said that—the truth was, that it was a story got up to make people believe he was the man. The jury would remember, too, the different statements about the carpet bag; why were such different tales told about that? Pont had sworn two tales about the powder flask, and if he would swear falsely about one thing he would about another. Prisoner then referred to Mortar's confession that Pont had told him something about what evidence he (Pont) had given in the court, and then proceeded to comment on the cross-examination of Hubbersty, who he said had told most false tales about the wigs not being seen when his (prisoner's) box was first searched. Then why did Hubbersty deny going back with Emily Sandford from the bridewell on the Thursday? He contended that there was a discrepancy between Hubbersty's and Emily Sandford's statement, as to the time she first saw him in the pantry. Then why did Emily Sandford go on the Friday, to the King's Head, Wymondham? There was something mysterious about that. Hubbersty then spoke of being in the committee room at the time of her examination. Did they think that such a man as Hubbersty did not know what an examination was? and yet they came and pretended to swear that it was not an examination. If the jury believed that, they would believe anything; but he believed that though the parties to the prosecution were great men, and he (prisoner) a poor insignificant fellow, they would not be deceived so. But Hubbersty, in order to get his evidence to agree with the others, pretended to be absent at the time when the depositions were commenced and when they finished. Then as to the finding this secret place, why in the world did not old Cann go in? Why, because these fellows wanted to be manufacturing the place and putting in such papers as they wanted. Or else why did young Cann and Emily Sandford want to be both there alone? For his part he would swear that the place had been no secret place of his; but Hubbersty, not knowing the importance of the affair, let it out that Cann and Emily Sandford were there together. But Oakley had not been let into the secret, and so he did not attempt to get in. How long Cann and Miss Sandford had been there God Almighty only knew: and it must be clear that after the perjuries that had been committed, that they were capable of saying anything. Then who had the key of the box, and where did it come from? There was some mystery about that, for he would swear he had not seen the box for months. Did they believe either that the papers were not examined at once, and that Emily Sandford spoke a falsehood when she said she did not see them till the 12th? Then as to the names of Mr. Jermy, appended to those documents, just let them be looked at, and then let any one say if a person would be fool enough to expect that he could make use of them as genuine signatures. And yet these folks wanted to bring things into existence, that had really no foundation in truth, and wanted to persuade them that he (prisoner) murdered Mr. Jermy in order that he might use those documents. Then as to the box being found, Hubbersty said that Cann was not there at the time and Emily Sandford said he was. Again,

Samuel Savory had been brought to prove—what? That it was five in the afternoon when he (prisoner) was near the Wymondham gate, quite in an opposite direction to that stated by Cooper. He could not understand why they brought such a witness forward, except it was to take up time. One witness completely contradicted the other. It was idle to suppose that if he intended to commit the crime, he could not have ascertained whether Mr. Jermy was at home without inquiring of the people in the neighbourhood. As to Bacon's evidence, that witness first said that he (prisoner) had threatened to shoot the Jermys, but afterwards said he had only threatened to "do for" them. That statement was a gross falsehood; and when he (prisoner) asked that King, the friend mentioned by Bacon, as having also heard the expression, might be allowed to come in to be examined without communicating with any one, his request was refused. This showed that the whole matter was a fabrication. The witness Martin was called to prove a distraint, and he was the man to whom he (Rush) might be expected to speak in a hostile way to Mr. Jermy; yet he was not asked a single word on this head. Read's examination had brought out nothing beyond the fact, that he (prisoner) had promised to render the owners of the property some assistance in getting possession, which he admitted he was willing to render by all legal methods. Prisoner again referred to the witness Howe, who, he said, was no doubt having a jollification at the Bell, with Mr. Cann, for both of them were staying there together. It would not be believed that such a witness would have come down without being well remunerated for his time and trouble; indeed he had no doubt that he had already pocketed the money. That was a man that would require to be tampered; he knew well, no doubt how to manage Mr. Cann, and had made a good bargain with him; and much good might his evidence do him! It was well known that some years ago a number of persons went and took possession of the Stanfield hall property, and were brought to the castle in consequence. It was the opinion of many people that it was quite legal, where parties were entitled to the property, to take possession in that way; and the present parties fully believed that they were justified in taking such a course. Mr. Jermy well knew that if the rightful heir to the estate—the real descendant of the late Mr. Jermy, who died in 1751, were found, he (Mr. Jermy) would have no chance of holding it any longer. If that was not his belief, could they suppose that he would sell such a spacious and valuable hall for £1000, as he had done, especially when it was known that the staircase-hall only, which his father had made not many years before, had cost more money? It was well known that the property was worth at least £6000 or £7000. It was not to his (Rush's) interest that Mr. Jermy should die, as they had attempted to prove, but it was rather to his interest that he should live. He had every reason to believe that the Felmingham farms would not have been taken from him, but that if he had given up Potash, he should have had them. Besides all this, the Recorder knew that he (prisoner) was acquainted with all his business; and he (Rush) was the only one that knew that Mr. Jermy had over £42,000 for his children, when he died. He would now make a few remarks upon the whole, and he hoped the jury would consider the general bearing of the subject; they must even now see the difference that existed between the testimonies of the different witnesses. Prisoner then referred again to the evidence of Emily Sandford in reference to the time at which she said he had gone out and returned. He stated that she told the facts pretty correctly at first, but after being at Stanfield

hall for twelve hours, she was induced, as a person under such circumstances would be apt to do, to turn round and give evidence on the other side. They had heard, that after tea, considerable conversation took place about the concert, and that the consequence was, that she went upstairs to change her dress again. Then as to his going out, as she had said, and having the door shut after him, the fact was, that the door was in the habit of blowing open, when the wind lay that way. And as to the time that elapsed after he returned, he would have them bear in mind, how he and Emily Sandford had been engaged, and the length of time ladies clothes took to attend to. All these would prove that he could not have been out more than thirty or thirty-five minutes, for Emily Sandford had sworn all along that she went to bed at half-past nine; and yet from even Futter's evidence, he (prisoner) could not have gone to Stanfield hall and back in the time, more especially during such a dark night as that. Alluding to Mr. Drane's evidence respecting the fields between Potash and Stanfield, he said, it was clear from it, that no one could have crossed the ditch which had been referred to, at night. It was several feet wide, and it could hardly be crossed in day time. If again he had walked on the bank, and had gone the route described, he must have been at least double the time mentioned in going to Stanfield. By Savory's evidence he could show that he was not the guilty party. Savory would state, that he saw him (Rush) in his in-door dress, about which Emily Sandford had made a palpable mistake. He hoped the jury would well consider what weight should be attached to her evidence against a person's life, after all the false swearing that had taken place. If he had intended to commit the murder, did they think he would have had her at Potash at all? It was true he trembled at first when he saw her, but when he got into bed he felt as firm as ever he did, knowing well that he was innocent. Did the jury think that he could stand in that dock and say what he had been saying, if he had been guilty. Would God Almighty have protected him thus far if he had not been an innocent man? Why if he had committed the murder he should not have been able to look them in the face, but should have gone mad long ago. Prisoner then contradicted the statement of the witness Sandford, that he had offered her brandy to drink at Mrs. Stacey's, and that she had written to him about her reluctance to sign the agreements she said she had copied. The letter he repeated, had nothing to do with the agreement at all; and the tale about his offering her brandy was only made up to shew that he wanted to give her stimulants to make her put her signatures to the papers. [His Lordship said it would be absurd to suppose that his offering brandy had any thing to do with the matter; a glass of wine, he said, would have been more likely to answer his purpose, if he had contemplated such a course.] He again adverted to the circumstances of the murder at the hall, contending that if he had shot Mr. Jermy he should not have gone round by the side door amongst the servants. He then said that the parties who were about to take possession of the Stanfield hall property, were going to do so in a straightforward manner. The descriptions of the murderers in no way agreed with the appearance of those men; and the guilty parties, therefore, must have been some misguided persons who knew no better.—The prisoner then alluded to a dress which he said he had been in the habit of using just to slip on. This had been discovered in the yard amongst the litter by the police.

men, who had pulled it so far to pieces, that it could be hardly told what it was. Still there it was, and they might make what they could of it. The fact was, that after hearing the guns, and knowing that the police were likely to suspect *him*, he had put it in a certain position, and yesterday he sent word where it was, and there it was found. But that dress bore no comparison with that described as being used by the murderer. The truth was it was an old over-dress which he used to wear sometimes when he went out, that his men might not distinguish him, but might take him for one of the labourers. The prisoner then requested that Mrs. Jermy's depositions should be read. His lordship: Consider well before you have it read; if you bring it forward, you must do so as something which is true, and something which is to contradict the statements which have been brought forward against you. The prisoner said he did not admit that it was all true, and that the jury would have to consider what it was worth. He did not believe, however, that it went against him. He then read some portions of Mrs. Jermy's evidence, and commented upon it. Mrs. Jermy had said that she believed the man who shot her was Rush, "from his height and build." Could anything be more absurd? There was nothing in his height and build so peculiar that he could be distinguished from hundreds of other men. The prisoner urged the jury to weigh the evidence carefully in their minds. Let them take time and consider their decision. He would forgive them if their verdict was wrong, so they need not have any fear about that. Mrs. Jermy had said that she thought the man had a coat on. He had no hesitation in saying that that was correct, and that Mrs. Jermy had given the very best description of the man; and he would prove it. The prisoner then concluded as follows:—Gentlemen, take time to consider all the circumstances in connection with the evidence that has been given. Weigh it well in your minds. For the sake of my dear little children, do not hurry in giving your verdict. If you are not quite satisfied of my innocence, (which I hope you are, in spite of what may be said,) if you have any doubts, I am not afraid that you should have plenty of time to consider. Trust in God, and be guided by his All-wise Providence, in looking at the evidence and forming your decision upon it. Do not, for the sake of my dear little children, whose hearts are bursting with suspense, as to the result of your verdict—do not for their sakes, and for the sake of your own, and your dear families' happiness, be biased by any thing you may hear from any one, only as relating to the real facts of the case. Be sure to divest your minds of all prejudice that you may have been liable to from such horrid reports as I have alluded to, before you came into this court. Consider from the real facts of the case, whether it was possible for me to have been the man who was seen at the hall on the night of the murder. Compare the statements of the different witnesses as to the dress in which the man appeared, (especially what I have mentioned about Mrs. Jermy's evidence) and my remarks on the same. Consider the distance from one place to another, and what has been said on that point, and also the time I was absent, and I am sure that God in his goodness will influence your verdict in my favour. My whole trust is in him, and that he will guide you. Who shall here be, (which I cannot see how there should be) a division as to your opinion, be ruled by me, and trust in God—those who are for me—and you will afterwards think it the happiest day of your lives, when you stood firm, and on no account whatever would return any other verdict than that of "Not Guilty;" the others, if there are any against me, will bless you in their dying moments, that you did not allow them

to return a verdict of Guilty against an innocent man. I have not the least doubt that at one time or other it will come out who were the real perpetrators of this most horrid deed. I say again gentlemen, trust to God and do your duty; do not be led away from the facts of the case by the flowery eloquence that may be used against me by the learned gentlemen employed against me. All I can say is, may God Almighty bless you and make you discern with a wise and understanding heart. This is the prayer of one who expects justice at your hands for the sake of his dear little children, who are destitute of a mother, and who are looking to you to give them back their father.—The prisoner concluded his address at 12 o'clock, having occupied in its delivery nearly 14 hours.

The prisoner then handed to the Judge the documents he had frequently alluded to in the course of his defence, and also the letter which he had referred to, giving the statement of how he knew what had transpired at Stanfield hall. This letter, he said, was clearly proved to have been prepared early in Jan., from the fact that it was numbered on the 19th of that month, by the keeper of the castle, Mr. Pinson, he (the prisoner) having then intended to send it to his solicitor, with the necessary instructions for the defence. He then asked for the letters, for the production of which he had served the counsel with a notice, more especially those which he had received from Mr. Jermy.—Counsel accordingly handed several letters to the prisoner, telling him that he should be at liberty to use them or not. Prisoner looked at them and said they were of no use, but there were others which had not been brought forward. He then put in the notice to value the covenants, which he had alluded to in his address, and asked for a memorandum signed by Mr. Hall, as to his instructions for making the valuation. This was accordingly handed to him.

Witnesses for the Defence.

GEORGE WAUGH, solicitor, was the first witness called on the part of the defence. He said:—On the 1st of December I sent a card to you at Wymondham Bridewell, being then in the town. You sent back as a message by Mrs Bryant, that you should be glad to see me, but not professionally; and Mrs Bryant said I could not see you without an order from the magistrates. She said nothing to me about Mr Cann being your solicitor. In about an hour I went back to the bridewell. Mr J. Cann was then in a room on the ground floor, to the left of the door. Mrs Bryant was with him, and one of the police inspectors entered with me, by Colonel Oakes' direction. He was sent for the purpose of giving direction that I was not to see you when no policeman was present. In consequence of those directions, I was accompanied into your room by a policeman. Mr John Cann also went with me. I did not know that he was going into your room with me, till I met him below stairs. In consequence of his entering the room, the policeman retired. [Prisoner here put several questions, to which Sergeant Hyles objected.] Mr Cann remained with you when I left the room. I came back again and said I could not wait for him, and I then recommended you to place yourself in the hands of some respectable solicitor, and said you could have no one better than Mr Cann, but I did not say you could not be in better hands than you were. [Prisoner was putting some further questions, when he was stopped by the judge, and he declined pressing his examination.] Mr Waugh was about to retire, when prisoner asked if he would believe on his oath, Howe, who, he understood, had been a clerk of his. Mr Waugh replied, that he would not, if contradicted by reputable testimony.

ARTHUR W. HYDE said, he was an accountant and arbitrator; he knew Howe; first saw him on the 1st December; met him at the coffee room of the Wheat Sheaf Tavern; had had a conversation with him on the Stanfield Hall murders, and heard him make some remarks to others on the evening in question; Howe entered the room a little after me with a piece of paper in his hand. [Counsel intimated to Rush that he could only ask witness whether Howe had said any thing that he denied having stated.] The prisoner complained of

being tied down to any particular course, observing, that he had never stopped the witnesses for the prosecution in any of their statements.—His Lordship said, he had already allowed the witness an enormous latitude, but he was bound to protect, in some measure, the parties to the prosecution.

After a short conversation on the subject, it was agreed that Howe should be re-called in the course of the day, and that he and Mr Hyde should be again examined.

MARIA BLANCHFLOWER deposed:—I was nurse at Stanfield Hall at the time of the murders; when I heard the first report I was in the nursery; I did not come down till I had heard three more; I came down the back stairs; I did not see Eliza Chestney lying at the bottom; I went immediately through the servants' hall into the cooking kitchen; I ran very fast, I did not see Miss Jermy, but heard a female bustle through the passage towards the servants' hall door; I saw no one in the servants' hall when I went through; when I got to the servants' hall door, I looked back, and saw in the passage a low, stout man, with broad shoulders, and no hat on; I did not stop, but merely turned round to look; the man was very near the back stair case when I came down, and I brushed by him, and when I got to the servants' hall, I saw him walking towards the side door; I had not time to see if it was any person I thought I at all knew; I did not see Read at all, nor Miss Jermy.

Cross-examined—I observed that the dress of the man was dark. I had only been at the hall 24 days, and had never seen the prisoner to my knowledge. I cannot say whether, when I saw the man the second time, he had passed the turn to the side door.

SOLOMON SAVORY was next sworn. He said—I lived with your son at Potash, at the time of the murders, and had done so for about three months. I know there were then a great many stacks of old straw on Potash. I have known that several gate-ways and road-ways have been littered with this straw, to make it into manure. There was one littered which led to the seven acres. I remember that I gave Pont the light boots out of the back kitchen. They were a little wet. They had been standing near the fire, and the side next the fire was dry, and the other side a little wet. I had left them by the fire during the night. I was examined two or three times before the magistrates. I was confined in the bridewell six days, in consequence of the evidence I had to give. I sat up one night, at the beginning of the shooting season, watching game. Have heard you say, you suspected the game was brushed off at night. I do not know of your having set any one to look out. I saw one of the men once poaching, as I believe. I remember telling you shortly before the murder, that I had seen a man put a dog over a fence on to the land. I do not know when that was. I remember a stack of barley, at the end of a field, being injured by the game. Sir John Boileau's wood runs along by the side of the farm, about half-a-quarter of a mile. There was a good deal of game in it. Stanfield-hall ground is separated from the Potash lands only by one field. I remember that the best servant at Potash had been home ill, for a week before the murder. The other one was not a regular servant, and only there for sewing, and a few little jobs. I was asked, at Stanfield hall, the day after the murder, what time I saw you on the night before; I told them, as I have since told the magistrates, that it was between seven and half-past. That was the latest. I will swear it was not eight. The name of the little servant was Susan Morley. No one has ever told me to contradict my first statement. [His lordship told the prisoner, he could not cross-examine witness. Prisoner replied, that he was asking the questions he had put, because the boy now contradicted what he had before said.] I remember your bringing a candle to me. That was about six o'clock, or a little after. I do not know that I have made a different statement from what I first made. When you spoke to me, between seven and half-past, you had your in-door dress on. This was against the back door.—By the Court: The prisoner gave me the light boots that Pont took, about five or half-past. I cleaned them by washing them, and I then set them to the fire to dry. They remained in the same position till I gave them to Pont.—By the prisoner: No questions were asked me, when before the coroner, about what I heard you say to the police the morning after the murder.

The witness HOWE was then re-called for further cross-examination. He said: I do not know John Lincoln, nor Mr George Blane, nor Mr James Buskey, nor Mr J. T. Smith, nor Mr Frederick Grey. I never heard of their names to the best of my knowledge. Have never stated that I would go to Norwich and swear for either party for £20. Mr Hyde said that I had said so, but I deny it; there was some joke about having £100 for coming down, but I said nothing about such a thing; I was not anxious to come, and wished to have a certificate from my surgeon to say I was not well enough; he refused me one, however.—[Prisoner: Then you had some compunction about it.]

Mr HYDE was again re-called. He stated: I have heard William Frederick Howe say he would come down and swear either way for £20.

Cross-examined—I live at 15, David Street, in the New Road, near the top of Baker Street. This conversation took place on the 4th of December, at the Wheat Sheaf in Holborn, at eight in the evening. I have no memorandum of it. I am an accountant at 39, Lamb's, Conduit Street. My name is not on the door post. I never put a plate up. You can't mistake the bell, for there is but one. The ground floor is kept by Miss Smith. The second floor is not let. I have been in the office more than twelve months. I pay by the quarter, at the rate of £25 a year. I have two rooms; I keep one room for myself, and the other for my clerk. His name is Williamson. He is to be found in the front room. My business lies where I can get anything to do. It is neither in the Insolvent Debtor's nor Bankruptcy Courts. I have managed the Laxham estate lately. Have only known Howe since that night. "The Elocution Society" met there, I was the chairman of the evening. The conversation was in the coffee-room. I formerly kept a public-house, but I was an accountant before that. I never kept a coffee-shop. The ground floor in Lamb's Conduit Street, is a coffee shop. I was once in the police force. [Laughter.] I resigned; I came from Ireland to this country. When Howe made use of these words, we treated it as fun. He said he had evidence that would hang Rush. I said it was a very vile assertion, except he could sustain it. [Prisoner: This gentleman has taken advantage. It is most shameful and irregular. His lordship replied, that he had permitted the irregularity at the prisoner's request.] We laughed at the matter as a joke, when he said what it was. A solicitor in London, whose name I do not know, paid me the costs, £3, of coming down.

His LORDSHIP then asked the prisoner what other witnesses he had. The prisoner replied, that if he was not allowed to put the questions he wanted, it was no use calling witnesses. He then proceeded to denounce with considerable warmth the conduct of the prosecution, in not having given him notice of their intention to call Howe, and of the counsel, for the manner in which he had cross-examined the last witness. He signified his intention, under these circumstances, to call no more witnesses, and at his request, the following letters were put in and read.

To Isaac Jermy, Esq.

SIR—I have told you before I was loth to take steps for taking your estates away from you—your giving my mother notice to quit the Felmingham farms, has broken all ties between us. That was occasioned by the fatherly care and kindness I always experienced from your father, and my first step towards ousting you from the home he so much honoured, is to have the enclosed pamphlet printed, which I hope will, in some measure, set matters right, as far as public opinion goes, and I expect, unless I am very much mistaken, you will have enough law on your hands for some time to come, to make ample compensation for the £420 damages you have got against me, and will satisfy you for all trouble and expenses in serving the aforesaid notice. I tell you candidly, it shall not be my fault, (now once I have begun,) if you have not. I send you this without the least expectation it will lead to an amicable adjustment of matters between you and my mother, but I thought in memory to my dear old friend and benefactor, I would give you one more chance, before I publish the enclosed pamphlet. Your lying friend Clarke (if he did not instruct your counsel Evans to say it was through the papers being circulated before the trial,) was the cause of not leaving the business to reference; at the same time, not a word of the circulars was written the previous Friday to the trial, and I never thought for a moment of leaving anything but the question to be tried to reference, when I proposed doing so, and he knows it as well, however his smooth oily tongue may wag to the contrary. Should you feel at all disposed to go on peaceably, and act up to your promises as regards the Felmingham farms, and letting his farm, the Carlton lands with Potash, say so at once by return of post, and you will hear no more of the enclosed pamphlets, nor be annoyed by any steps that may be taken by me in the business, and this I say not for any respect I have for you, but for the sake of my dear, dear mother, and as I said before, in respect to the memory of the DEAD. I give you this one chance more, on waiting your reply till Friday morning. I am Sir, yours, &c., J. B. RUSH.

To Isaac Jermy, Esq., Stanfield Hall.

SIR—When I saw you on Sunday, I thought of being down into Norfolk again to-day or to-morrow. I have business to detain me; therefore, shall not be there till Sunday, if then, but I want your answer as to what terms my mother can have the Felmingham farms, for eight or twelve years from next Michaelmas, and also the Carlton lands, to be farmed with Potash; she will take those from last Michaelmas if you think proper; it is highly necessary I should have your answer by Friday's post, at the latest. I have nine children. You have completely ruined me, as far as my own property goes. If you think I shall not take steps to ruin you and your family, you never were more deceived in your life. *You do not know me yet;* hitherto I have done nothing but what I have told you of, but, unless you answer this letter satisfactorily, nothing on earth shall prevent my treading in your steps, and paying you off in the same most villainous and base coin as you have me; but don't take this letter in the wrong light, for you may believe me when I tell you, that such is my weak and foolish way of looking at what has taken place, that, after bringing your dear old father in my mind's eye, I feel as great reluctance to commence hostilities against you, as if you had never wronged me in the way you have; and I do believe, if you were now to propose fair and reasonable terms to what I have before mentioned, I could go on as if nothing had ever gone wrong with us. I have repeatedly been blamed for such leaning towards your family, and I know I am very foolish and wrong, for the sake of my family, for so doing; and it has been in a great measure the means of leading me wrong in the steps I have hitherto taken, particularly in 1838 and again last Michaelmas. I was persuaded over and over again to let Jermy, who claims the estates, go down into Norfolk with his family, and go into the house at Stanfield when I quitted, and keep possession, and was assured of everything that was bad, by them and those who gave me the advice for not letting them, but, as I said, there was that foolish hankering after you, by associations and transactions with my dear old friend and benefactor, that I could not make up my mind to do so; for, although it turned out he did not do me any good, it was not his fault, and I am quite sure no one ever had my interest at heart more than he had; and I am sure, if he could have told what would have taken place, or had the least idea of it, I should have been well protected from anything you or any one else could have done, to have brought me to the state you have, for I will defy you, or any one else, to say that I ever asked him for a favour in my life, but it was granted; and when I consider the hundreds of happy hours I have spent in his company, and the hundreds of miles we have so pleasantly travelled together, I could almost say to you—do as you like, and behave as bad as you can, I cannot do anything against a son of his, for, although you might think him *eccentric*, (which, no doubt, he was,) and his conduct not as you could have wished towards you, I can say, no father ever had his son's interest more at heart than he had yours, therefore, for his sake, think of my children and my dear, dear mother, and do not let me lose every tie that still links my best wishes for your family's welfare, for, if you do, God only knows what will be the consequences, and the worst of it is, when once I have parted with ALL THE DOCUMENTS I hold, neither you nor I can stop, the power will be out of our hands, to do so in the case you have. I have not hinted at the most important documents, nor ever have I, or any one else, (such had been the case, and they had been placed in their hands, you would have heard from them before now, I can tell you, but with the hope *I shall not have to part with them, and waiting your reply,*

I am, Sir, yours respectfully,

J. B. RUSH.

Angel Inn, Islington, 26th April, 1848.

P.S.—I have just received a letter from Felmingham. There is some one put on there for Salter's debt and costs; all that is your doing. When it is *too late* you will see your baseness, and its true light in that

business. Salter told me at first the part you took in it, and it was quite enough for that fiend Clark to act on. But he is like you—he don't know me yet, if he thinks my mother is to suffer for me in that business.

The prisoner then applied for the production of his applications to the committing magistrates, for copies of documents for preparing his defence.—These his Lordship said were not admissible.—The Prisoner also applied for the production of a pamphlet, in which he said, Mr Wilson's name was mentioned; this also his Lordship said could not be taken in evidence.—The Prisoner then handed to his Lordship a copy of a recent Act, which he said shewed, that his being excluded at the time Emily Sandford's evidence was taken, was wrong and unconstitutional.—His Lordship replied that he might possibly refer to it in summing up.

Reply of Counsel.

After some further applications from the prisoner, which his Lordship said could not be complied with,

The Learned SERGEANT proceeded to reply. He said—Gentlemen of the Jury—I have a very painful and very invidious task to perform, in calling your attention to the evidence which has been laid before you. Gentlemen, when I addressed you before, I said that it was to be regretted, on the part of the prisoner, that he was not to be defended by counsel. I cannot help saying now, that he has had many advantages which he would not have had, if he had been defended by counsel; and certainly a more patient trial, in the annals of judicial long-suffering, I do not think ever was experienced by any one. Gentlemen, I shall make only one or two observations upon the prisoner's main line of defence; then I shall conduct you very shortly indeed into some, and only some, of the main features of the case. It seems to me that the prisoner has fallen into two very great mistakes—the one, his confounding the conduct of the prosecution, to which most of his observations and some of his evidence has been directed—he has, I say, confounded the conduct of the prosecution with the other, and much more, and only material question, namely, the question whether he is innocent or guilty of this charge. Gentlemen, I cannot help saying upon that, that the magistrates who are entrusted with your safety, who are the guardians of the peace of this county, had an extremely difficult duty to perform. They had to conduct the evidence of Emily Sandford in the prisoner's presence, and you learn that he conducted himself in such a manner that she fainted, & she was twice obliged to be removed. I only mention that in order that you may see that the duty which the magistrates had to discharge was a responsible and painful one, and I trust that you will not be of opinion that any thing which came out in the course of this examination (for it would be most unjust if you should think so) reflects on the conduct of the magistrates. [Prisoner: It never has been proved yet that she fainted.—His Lordship: Yes it has.] Gentlemen, I cannot help saying, also, that with respect to the imputation upon Mr Cann—that he was once attorney for the prisoner, and afterwards for the prosecution—it is denied by Mr Cann, it is disproved by Mr Waugh. And with respect to the conduct of the prosecution, you have already heard from my lord that it is unusual to give the other side notice, much more a copy of the documents which will be used against him, all of which were furnished to the prisoner; in addition to which you have just learned that his solicitor had the opportunity of ransacking all the bags which the prosecution possessed, in order that he might have any copies which he might deem to be useful for the defence. [Prisoner was about to make some remarks on these observations, when his Lordship cautioned him, that if he persisted in interrupting, he must be removed.—Prisoner: I must be removed then. I say my application was not put in. The letter was not read, and now he is making remarks upon that letter.] Gentlemen, I say no more upon that subject, I trust I have said no more than the evidence has justified, but if I had not stated what I have done, I do not think justice would have been done to the magistrates. The only other observation I will make is this. The prisoner seems to have proceeded upon the notion, that if there is any variation in the details of the evidence, when you compare the statement of one witness with the statement of another witness, or when you compare the statement of a witness with the statement of the same witness at some preceding time, if there is any variation in detail, the evidence is to go for nothing. Gentlemen, I will make but one observation to you—if you have been on juries, you will know whether or not it is deserving of attention.—When three or four persons are witnesses to a particular fact, if you have genuine, trustworthy, human testimony, the characteristic of it is this: they agree in substance, but they differ in minute details. If an accident were to occur here on the Castle-hill, and four people saw it at the same moment; if they came in here and gave you upon oath their statement of it, within five minutes after it had happened, you would find this; they

agree in substance, in some minute details they differ. Now gentlemen, if that is so, with respect to an ordinary transaction, how much more must it be so when four or five witnesses are called before you under these circumstances. An armed man makes his appearance in a peaceful dwelling after dark, when they are not only terrified and struck with horror, but receive a shock, which for anything we may know, may permanently derange the nervous system. It is not at all to be expected, that in minute details, these witnesses should all agree. The question is this, and that is the sole question for you to determine, when you come to look at their evidence: do they in the substance and in the main, agree one with another? Now, gentlemen, I propose to call your attention (and I will do it very shortly) not to the evidence of three witnesses only, but to the evidence of five witnesses to the transaction which occurred at Stanfield hall on the evening of the 28th of November. But before I do it, allow me to call your attention to this with respect to the prisoner:—it is perfectly clear that the prisoner knew the house; it is perfectly clear that he was in the habit of going in at the door without rapping. I stated to you in my opening address, that I believed he had at one time occupied the house himself for his dependents. It now appears in evidence, that he, in fact, bought Stanfield hall—you have heard him allude to it, and it is also stated in the pamphlet; it was actually his own property for nearly two years. Now, gentlemen, I beg to call your attention to the direct evidence upon the subject. It is so long since it was given, that possibly you may have forgotten some portions of it. I will be extremely short, and will endeavour to brush away the chaff of these transactions, and come at once to the grain and substance of it. Let us see what Watson swears, what Chestney swears, what Read swears, what Mrs Jermy swears, and what Blanchflower swears, because there are now those five witnesses in court. Now, then, Watson is the first. He says, "The man came from the direction of the side door; he was three feet from me; he moved his left elbow towards me; I saw him go to the door that was opened by young Mr Jermy." I put this question to him; the prisoner objected, and thought it an unfair question, but my Lord ruled that it was a proper question; "Who was that man?" Watson, who knew him before, and who knew him well, and knew his habits, says, "I believe that man was Rush, it struck me so the moment I saw him." Now gentlemen, I could not have carried the case further than that. I did not open to you, because I could not, what was said at the time; but the prisoner has put in these depositions, and you will, therefore, now have the opportunity of seeing whether Watson's testimonies before you correspond in the main, with what he swore before the magistrates, and what he swore before the coroner; and I beg your attention to it. Before the magistrates he says, "When I saw the man in the passage, it was my opinion, that I had seen him before, and that that man was Mr Rush, because he was low and stout." Again, "When I saw the man, he had a mask on; though he had the mask on, I felt certain it was Mr Rush, and I feel sure that it was so now." Now gentlemen, it becomes extremely important what was said at the time—what was said by the witnesses before they had heard of any evidence that was given by Sandford. I could not tell you in opening this case; it was not evidence, and I did not propose to name it. The prisoner, however, has named it. Now see what it was. "I said that night I thought it was Mr Rush. I do not remember hearing that night any person say that it was Mr Rush." Now it comes to this—he had not heard Emily Sandford's statement; he had not heard anybody say it was Mr Rush. According to this statement he not only thought that it was Mr Rush, but he that night, to use his own expression, said that it was Mr Rush. Gentlemen, only one word more about this evidence. The witness was not only examined before the magistrates but also before the coroner. Let us see what he said there. [Watson's evidence before the coroner was here read by the learned sergeant.] Gentlemen, that is the testimony of one witness—the butler, Watson. It is suggested by the prisoner that Watson's suspicions were directed towards him, because he knew there had been disputes between Mr Jermy and him. In his cross-examination about that, he says he never knew of such disputes, so that I am obliged to tell you that he gave this evidence on the very night, not knowing of any disputes between his master and Rush—not knowing of any reasons which could have prompted Rush to the act—and not knowing anything of the statement of Emily Sandford. So much for Watson. Let me now call your attention to another witness—one of the unfortunate persons who sustained an injury upon the night in question. She was brought here and laid before you. I do not propose to trouble you with the details of her evidence, only as to the part which affects the prisoner. I put the question to Watson in this way—"Who was the man?" That was

objected to, and my learned friend, Mr Prendergast, who examined Chestney, in obedience to the prisoner's suggestion, waived the former question; his question was—I took it down at the time—"Whom do you believe to be the man?" Gentlemen, I do not doubt that you heard that answer. The answer was in two words—(pointing to the prisoner)—"That man!" She says, "I cannot say I had any doubt on my mind at the time; I had seen him several times at Stanfield hall; I saw him when he levelled the gun at me; I saw him when he first of all turned his head towards the side door; I saw him afterwards when he looked towards the place where I and my mistress were standing." Now gentlemen, she is examined also before the magistrates and before the coroner; let us see what she says before the magistrates. She says: "I saw a man approaching from the dining-room; he had in his hand what appeared to be a gun; he appeared to be of middle height; he was stoutish across the shoulders, and I thought it looked like Mr Rush now present; I thought so by the width of his shoulders, and by his height. I have seen him several times before; the lights were behind him, as he was coming from the dining-room door, so I could not see his features or his face." [Prisoner—Pray finish it, there is only two or three more words.] If the prisoner wishes, I will read the cross-examination; "I could not see his dress at the time; I could not see whether he had a cap or a hat on; I could not see anything about him distinctly, only that he had broad shoulders, and was of middle height. I saw the man distinctly—I heard the second report, almost directly after the other. After I was dragged to the staircase by Watson, the servant said, 'Poor thing, poor thing, did you see him?' That was when she was lying at the foot of the staircase. She said at the time that it looked like Rush. Gentlemen, she was examined again; she says, some one then said, 'Poor thing, poor thing, did you see him?' I said, yes, it was Rush. I mean that man (pointing to the prisoner). The man that I saw at the hall, had neither hat or cap on;"—and lower down—"It was my conviction, and is so still, that the person I saw in the hall, who shot me, is the prisoner Rush." So much for the evidence of Chestney. She also was examined as to whether she knew of any disputes between Mr Jermy and the prisoner, and you heard her answer. According to my recollection, it was, that she knew of no disputes. There was nothing, therefore, to point her suspicions to Rush, except what she herself saw. But there is the statement she made when examined here, to which I must call your attention. In addition to what she said before the magistrates, you have had the opportunity of seeing the witness in a very painful situation in this room. She makes this statement, and so does another witness—that he has a way of carrying his head rather on one side, which I think cannot be mistaken. She is cross-examined as to whether anything has been said to Mrs Jermy that she might know whether she knew of any dispute; and she said she knew of nothing. The third witness was Margaret Read. She says, "I saw Miss Jermy." And here I beg to call your attention to the evidence of the witness Blanchflower. Blanchflower is called to show that she afterwards went through the servants' hall, & did not see Read but that was because Read had gone out with Miss Jermy to hide her, and probably to cover her up with straw in the stable. What does Read say? "I saw a man coming towards me; I was standing in the servants' hall looking along the passage; Miss Jermy was running; she was about three yards off, and this man was seven yards behind Miss Jermy, so that he was coming with his face towards her in the direction, and turned round the side passage; she was looking directly opposite: he had a loose garment on; a coat or a cloak; there appeared to be a cape standing up on the right shoulder; it was a low, stout man; I had repeatedly seen the man Rush; the man I saw was the height, the size, and the carriage of Rush; the moment I saw him my impression was that it was Rush, and I think so still." That is her evidence before you. She also was examined before the magistrates. There she says "He had a loose sort of garment on, either a coat or a cloak, with a little cape to it." You will not understand me as trying myself to any particular garment, especially after what the prisoner has said about another dress. It may have been a cloak, or it may not have been, we cannot tell. While I am upon this, I will call your attention to the inside of the garment, you will observe, that there is inside it an extremely capacious pocket. [The cloak was produced.] It has been said, that it was a windy night and such a night on which a cloak might be worn. The witness Read says that a portion of the cape appeared to be turned up, this might be from the wind or it might be from other circumstances. I do not know that this is the garment. About the other garment which has been alluded to. I shall have one word to say presently. Read says, "He had a loose sort of a garment

either a coat or a cloak, with a little cape to it." I have not taken notice of these little differences; I have disposed of them with one general observation. I cannot help saying this; Mrs Jermy calls it a coat, but this witness, before the magistrates calls it a cloak, now this very same witness says again, that it was a coat or cloak. But what did she say before the magistrates? Not "I feel sure," but "I felt sure that it was Mr Rush." Gentlemen, she is examined before the coroner, and says, "It struck me in a moment it was Mr Rush; I did not doubt for a moment it was him, although I could not see his face, I had that opportunity of seeing his person, that I could not be mistaken." Now gentlemen, these are the three witnesses, one other only remains. This is a deposition which I did not propose to have read, because I did not think it was evidence against the prisoner; however, he thought fit to read it. It is the testimony of one of the sufferers, who cannot be here; I mean Mrs Jermy. I do not think her evidence has been read at length, inasmuch as I did not read it, and the prisoner, I believe, only made extracts from it; as it is not long, I will read it to you at length. [Mrs Jermy's evidence was here read.] Now, gentlemen, there is the evidence of four witnesses, as to whether or no this was Rush. As to three of them, you have the advantage of hearing what they have sworn at other times, of knowing what they said at the time, and whether there was or was not any thing to lead their minds to shew that the deed was committed by Rush, independently of what they saw. As to the witness Blanchflower, I have read you her statement, and it is for you, and not for me, to say what the effect of it is. This witness Blanchflower, the prisoner says, we ought to have called, but why did we not call her? We did not call her because she, unlike the others, cannot speak to the person of Rush. So far as her evidence goes, it is perfectly consistent with what the other witnesses have said, but she had not been there more than twenty-four days, and in answer to a question from my lord, she said she was not aware of ever having seen Rush before; she did not know him, and therefore could not speak to him. This is the description she gave of the man whom she saw—"I saw a low, stout man, with broad shoulders, and a low hat; I passed by his right side; I brushed by him; he was coming towards the side door." All I have to say upon that is, that it carries the evidence no further than that of the four witnesses, but it is quite consistent with what they have stated. But there is another piece of evidence to which I must invite your particular attention. Now if Rush were the man, there is no doubt he would not employ any other person to write these things which he left behind. Whoever the man was, it is not likely he would have employed any amanuensis when he wrote these two documents. Whoever the man was, you may be perfectly sure upon every hypothesis—surrounding himself as he must have done with every means in his power to escape detection—that he would not have trusted the writing of these papers to any body else. Then if that is so, you will expect that I should lay before you some evidence that this is Rush's hand-writing; if it is not Rush's hand-writing, it is not likely that Rush is the man. Now let us see what sort of evidence we call before you on that subject. I told you before, that to swear to handwriting was neither possible nor usual. You cannot swear to it positively if it was your own handwriting, unless you remembered the particular facts; you could only say, I believe it to be mine. Much more so when you are speaking of another man's handwriting. The value of the evidence given in courts of justice is entirely dependent upon the source from which it comes. If you call a man who has seen another man's writing only once, or twice, or three times, the evidence is but slight. It is my duty to call your attention to the sort of evidence we give. Rush it appears, has been usually with a person of the name of Jesse White, who was in the constant habit of writing for him, for hours together, and copying from his writing. He said, in answer to me, that of late years he had not the opportunity of seeing Rush's hand-writing, but in the cross-examination by Rush it came out that this time twelve months he had a cause in the other court, and he employed him to copy a part of his brief, so that he is a person well acquainted with his hand-writing. [Prisoner: It has never been proved that the brief was in my hand-writing; It never was in my hand-writing.] Gentlemen, I don't know that there is any distinct evidence to shew who wrote that brief, but inasmuch as it was Rush's brief, I thought it was probably his hand-writing. You will give the observation of the prisoner the weight it deserves. What had the witness White said? "I know his hand-writing well." He was asked, "What do you think of these papers?" And, gentlemen, you have heard his answer. "I believe those papers to be in the hand-writing of Rush." That is an ordinary answer. The prisoner had a right to ask, and did ask, "What makes you believe that?" upon what do you ground your belief?" The prisoner says

truly that this is a sort of printing hand; but there are here and there to be found letters which are not in a printing hand. For instance, the "j" in the beginning of "Jermy," and the "y" at the end of another Jermy, and the little "f" which occurs two or three times. Now then says the witness, "In addition to the general character of the hand writing, which (he says) is what I go by, I will point out to you the capital I's, the letter f, and the letter y, and I tell you I recognize them as the prisoner's letters." Now gentlemen, the value of that evidence you will have the opportunity of testing. Inasmuch as a jury have a right to see everything, you have a right to see these documents; you have a right to look at those papers and other documents in his hand writing. You will not expect to find in a large printing hand like this, but you may discover the real character of the hand peeping out as it were through the letters to which the witness has alluded. But after all, gentlemen, when you have used your best endeavours in comparing genuine hand writing with feigned hand writing, you will after all come back to the witness. He knows the hand writing much better than we do; he has the means of judging, and we know what his opinion is. It is extremely difficult to disguise handwriting. If you have ever tried it you will find the difficulty. One man writes at this angle, another at that; one man writes with his finger in this way, another with his finger in that way, and when men begin to disguise their writing, they do not think of altering the position of their hand; and the consequence is, that the general character of the handwriting, as well as the peculiarities of the letters escape them when they do not intend it. Some such instances are to be found in the two papers which I hold in my hand. The witness says "I know the writing from its general character; I know it from the letters, and I believe it to be Rush's handwriting." Here Gentlemen I must beg your attention to a defect in the prisoner's defence. He says there is a man named Glasspoole who knows his handwriting well, and complains that he has not been called. There must be many other persons who know his handwriting, and there have been plenty of opportunities to call them to give evidence on the other side. No such witnesses have been produced before you; and it will be for you to say whether these documents are not in the handwriting of the prisoner. The witness says there is some considerable success in the disguise, and it is only here and there that the real character of the writing is to be seen. But there is another fact—the second branch of direct evidence. We say not only that the writing is Rush's, but that the paper on which it was written was in Rush's possession. There are two books found in the prisoner's closet, with the words "Mercantile Accounts—Ledger," and "Bought Ledger." It is immaterial whether there is any proof that Mr. Jarrold sold those books; there they are in the prisoner's house. [The prisoner complained that there was no proof that he had purchased the books of Mr. Jarrold.] Mr. Jarrold said, "I make sets of three—a ledger, a bought ledger, and a day book." Now where is the ledger? here safe in Rush's house. Where is the bought ledger? safe also in Rush's house. But where is the day book? Gentlemen—we say here is the day book! (pointing to the papers dropped in the hall.) They are not of the same colour; but Mr Jarrold says the books are often made of different colours. I am only calling your attention to this, and only founding an argument upon it. Do not suppose that because there are different colours they might not have been all of the same set. (Prisoner: There is some sense in that.) Mr. Jarrold says they are the same as far as the pattern is concerned, but with respect to the colours, two books were often of one colour, and the third of a different colour. The fact is then, here are two books found in the prisoner's house, and the third is missing. This cover found in the hall is of the same pattern in marble paper. The colour is nothing; put the two papers together and they make one cover. Jarrold tells you they were one book. (Prisoner: He has never said they were in his shop.) Gentlemen, I am not saying so, if you compare the two you will find they are exactly the same size. But, then, the day book had a label upon it. Here is the place where the label has been scratched off. Here is the place of such a label as was on the day books; here is a piece of paper, cut out by the prisoner's direction, to fit upon it; but without fitting it, you shall have it in your hands, and see whether it is precisely of the same size as the place from which this label came off the book left at the hall. But we carry the case one step further. If this book came from Rush's, it is probable that it is the day book. Now there is

a difference between the day books and the ledgers. The ledgers have a fly-leaf, which is not ruled. On one side there is an entirely plain leaf. The ledger and the bought ledger in this respect are the same. The day book is otherwise. On this there are blue lines marked on both covers; Jarrold tells you that these books, when bound, are pressed; and that, in consequence, you may see in the day book these faint lines. From the lines in this cover found in the hall we conclude that it was not the bought ledger, nor the sold ledger, but the day book; and the day book is the book that is missing at Rush's. I, therefore, say to you—you will take that evidence, you will give that evidence what weight you please, that we proved the documents left in the house to be in Rush's hand-writing, and we proved them to be part of the set of books of which two remain in his house, and the third is missing, and the one which is missing is the very book the covers of which we find, that is to say it is the day book. Now gentlemen, supposing the case stopped there, just see what we have got. Supposing even that the four witnesses had not sworn so distinctly. Then with Blanchflower's testimony only, it must have been a man of Rush's height—a man of Rush's shape—a man of Rush's size—a man of Rush's walk. It must have been a man who had not come for the purpose of plunder—it must have been a man who looks like him—it must have been a man who had a book like his—it must have been a man that had a cloak like his, and with all these coincidences, it must have been a man that had some ill will towards the Jernys. But there is another witness upon whom I must make a few observations, I mean Emily Sandford. There were many things about that young person, that I could not say when I addressed you before. It would not have been fair, it would not have been right to say them, but I must say them now; the prisoner has proved them. You now know her history; she has sworn to you, and she is not contradicted, that the illicit connection too plainly existing between her and Rush, was brought about by a promise of marriage. You will do me the justice to say, that I did not state that to you in the first instance. She was at the time of these transactions in the family way by him, and she had had one child by him. She tells you, that she was in plain language his tool. She says, "I did always whatever he told me." I cannot help saying, that there was considerable delicacy evinced in some part of her conduct towards him. She was dissatisfied at the idea of being an expense to him, and on this account she said, she had taught or offered to teach music. That is the young person upon whose testimony a considerable portion of the other evidence in this case will depend. But you will observe, that the whole of what I have now brought before you is entirely independent of Emily Sandford's testimony. We see the case is made out, supposing there is not a word of truth in what Emily Sandford has uttered. But, gentlemen, I think you will believe that that young person has made the only atonement she could make to public justice—she has made a clean breast of it, and has fully and fairly told you every thing she knows. I think I might almost invoke, in this part of the case, the prisoner's own testimony in her favour. Because he said once, at least, if not more than once, "Poor thing, I have no doubt she would not say anything wrong if she knew it." [Prisoner: I have not said so lately; it was only at first. I have not said so since her depositions were read.] Gentlemen, I misunderstood the prisoner, then. I certainly thought that was the effect of his observations. God forbid that I should press the case against the unfortunate man at the bar, by taking advantage of any thing that may have dropped from him. Let his testimony, therefore, of her credibility, be entirely dismissed from your minds. But we have other evidence in her favour. Shetold Mr Cann, I think, on the Friday night, that if he would look in a particular closet below stairs, he would find a hole in the floor, and in that hole he would find some papers. Mr Cann did look into that hole, and produced the cash-box and papers. I say that is a circumstance corroborative of Emily Sandford's evidence. The prisoner has mentioned that that hole was made afterwards.—The prisoner: Made afterwards? Sergeant Byles: I certainly understood that there was an imputation, both upon Mr Cann and upon Hubbersty, with respect to the hole. Prisoner: I said those things were placed there by somebody else, and not by me. His Lordship: his expression was as I took it down, "the parties manufactured the secret place and put the papers there."—Sergeant Byles proceeded; I am willing to suppose that no imputation was cast upon Mr Cann and Hubbersty. You have heard that witness, Emily Sandford, cross-examined. Never in my experience have I heard a person, male or female, cross-examined at such length; I think she was in that box 13 or 14 hours, of

which 9 or 10 hours were cross-examinations. I need not say, therefore, that there has been an opportunity of sifting her evidence thoroughly. I have no doubt the impression on my mind is, that she is the witness of truth. With respect to the transactions in Mylne street, they are corroborated by written documents. [The prisoner: that has never been disputed.] They are not disputed, but when we see one portion of her testimony is correct, it leads us to form some judgment with respect to other portions which are disputed. Was any portion of her evidence suggested to her? The first we hear of her is, that she is brought to Stanfield hall and put into the servants' pantry, where she remains from three o'clock in the afternoon till 12 at night. There is a long account given by the prisoner in his cross-examination, but I do not propose to go into it. If that has shaken her testimony, or disposed of it, I need say no more. If, as I rather believe, it has tended to confirm it, it would be useless to take up your valuable time in alluding to it. I shall have to call your attention presently to the story about the lawyer, Dick, and Joe, and you will see, I am afraid, how that will melt away in the sunshine of a court of justice. But before I come to it, allow me to call your attention very shortly to Emily Sandford's evidence. She was examined by my learned friend, Mr. Prendergast, and I cannot help thinking that he succeeded in eliciting from her every material fact. I shall not take her testimony in the order in which she gave it, because that will not be so clear as taking it in chronological order. I observe in the cross-examination, after having said that the prisoner was in the habit of going out at night, she once, before this Friday, caught a glimpse of him. The words were, I took them—"The first and second time you were going out at night, I caught a glimpse of you; you had your hat on; you had something that looked like a cloak, something coiled up under your arm. It was very dark and I could not see distinctly." She says he had been in the habit of going out at night, and once or twice she caught a glimpse of him as he was going out. Gentlemen, that he was in the habit of going out in some sort of disguise appears pretty clearly from his own statement. Now allow me to call your attention to what Honour Holmes saw about that time. She says, "I have heard footsteps of some person about the house some time before the murder." I am now speaking from memory, but this is the substance of her testimony. "I saw a figure about 300 yards from the hall; it appeared like a man with a cloak and a lantern." It will be for you to say whether or no that address tallies with Emily Sandford's statement, that he had gone out before, and with our suspicions, that on those former occasions his footsteps were directed towards Stanfield hall. Now, gentlemen, we come to something certain and definite, and to that it is highly important you should pay your attention—it is to what occurred on the Friday night before. Now, what did the prisoner do at four or five o'clock on the Friday night. He had gone to Ketteringham lodge, kept by a man named Bailey. There was a long conversation about some corn, at the conclusion of which he asked if the Jernys were at home. The prisoner makes two observations upon that—one of which is well justified, but the other is ill founded. Many of the observations made by the prisoner shew considerable acuteness, although, in the matters to which I have called your attention, it strikes me that he has neglected to address himself to the point in dispute. He says, "If I had intended to do anything wrong to Mr Jerry, should I have gone to Ketteringham gate, and there do the very thing which would excite suspicion?" That is a fair, natural, an acute, and a proper observation. But then he says, secondly, "Why do you bring in the story about corn; it is to prejudice me with the jury; it is an old debt—[The prisoner: the debt was not mine]—a transaction long forgotten, and it is brought forward with no other object than to prejudice me with the jury." I will say, with respect to those who instruct me, that I am not aware of a single piece of evidence having been brought forward with that view. That story about the corn has a most important bearing. He began about the corn, a matter apparently forgotten, and in the course of the conversation, towards its close, he asked whether Mr Jerry was, or was not at home. If this were not a serious case, I should say it was like a lady putting in her postscript the most material question she desires to ask. The reason we give the conversation about the corn in evidence, was this: we say that that conversation was a blind to the real question that he desired to put, namely, whether Mr Jerry was, or was not at home. Now, to refer again to the evidence of Emily Sandford, she says, "He looked out at the front of the

ouse, and said, 'this is just the night for those rascals.' Meaning the poachers.) He wanted some spirit in his ca. He gave me some letters to give to his son, who was living in the house. He told me to put out the light and to go into my own room, which was near his, and let him know when James went out of the gate. I was to let him know when I heard the rattling of the wheels. His bedroom door was shut. He had on other occasions told me to go in and shut my door. I asked him to take a story with him, for it was dangerous to go alone. He left about half-past eight, and stayed till about half-past eleven. When he came in, he said, 'Step into your own room for a moment.' I did not see him. I was a quarter of an hour in the dark." Now, here it occurs to me that the prisoner's own story is, that he was out on that Friday night with the lawyer and these other people; but gentlemen, there is something which occurs on that night which you are not to forget. After he had been in bed some time, he sat up again and said, I am afraid I have lost something. He then went about the room—found his keys—unlocked the closet, and searched inside, and at last said, I have got it—it is all right; having before said, if he did not find it, he must go out again. What that is we may conjecture, but we do not know. The conjecture may not be a probable one, nor is there any reason why I should state it to you. I ask you what he was about on this Friday night? Is it consistent with his story about the poachers, or is it consistent with the story he himself has told, and to which I shall call your attention; or is it consistent with that which we say it is lone consistent? We now come to Tuesday. I will pass over all that passed on that day till ten time. He sits over to tea; he appeared unwell, and Emily Sandford says, "I am sure there is something more than poachers." He says "there is something more; but if you won't wish to know it now, I will tell you another time." He then says, how many times have I been out? Emily Sandford says five or six times. He adds: "I shall have only two or three times more to go, then I shall succeed. You recollect the anecdote of Bruce, he succeeded the seventh time. You recollect Bruce's watching a spider making several attempts to get to the wall. He tried six times and failed but succeeded the seventh, and he said I shall succeed the seventh time," or words to that effect. He goes into his room—he prepares as before—he goes out at half-past seven—there is a fire in his room at three o'clock—half fire is nearly out—he goes out—and is out, according to her account, from about $\frac{1}{2}$ past 7 to 9 or $\frac{1}{2}$ past 9. Now, gentlemen, I must call your attention, only for a moment, to his behaviour after he returned. He raps at the front door. She does not see him either when he goes out or when he comes back. There must be some reason for this; it is very mysterious. She says "he went up-stairs. He had, I presume, boots or shoes on when he went up by the noise he made. He came down again, and appeared very excited, pale, ill, and agitated. I asked him what was the matter, and whether any thing had happened. He replied, "nothing," and added, "If my inquiries are made for me, say I was out only ten minutes." Now she did say so at her first examination and the prisoner does not complain of that, because, as he says, she stated what she did because he had told her. And no doubt that was a true statement—that he really did say, "if any one inquires, say I was out only ten minutes." [Prisoner here interrupted by some observation which we did not understand; but his Lordship immediately requested the learned sergeant to return.] Gentlemen, I will not trouble you with any thing more than appears to me to be the most material facts of the case. She went up into her bed room, and after a time she fell asleep. He, in the course of the night, knocked at the door. That was about three o'clock, and as you will remember, it was at that time that the police arrived, and heard the barking of a dog. The prisoner probably found at that moment, that the police had surrounded the house, for it is most likely he had never slept. [Prisoner: There is one observation which I wish to make. I must quote your words, and I intend to have them stuck to. These are the words she made use of, "From the time of prisoner's first coming in to tea and going out afterwards, was about an hour and a half. He was up-stairs about a quarter of an hour or twenty minutes, and returned later."—] Sergeant Byles continued:—I have no desire to misrepresent this, and I have had some experience in matters of this sort, and I know that your verdict cannot turn on points of that kind, particularly as relates to time. In this respect people are constantly differing, and it behoves us rather to see what are the main facts of the case. Neither this, nor any other case that was ever tried in a Court of justice, would be brought to a conclusion, if the discussion were to lose itself in these questions of minute details. [Prisoner: that is not the subject, and I will have the facts stuck to. His Lordship here ordered Rush to be removed, but he was allowed to remain on promising to be quiet.] Gentlemen, I trust you

will believe me, it gives me no pleasure, but a deal of pain, to make these observations, but you know we represent the public. The guardian power which surrounds the public is the law of the land, and that law is powerless except to do their duty. I am endeavouring to explain it, and will not knowingly misrepresent a single particle of the evidence. He came, as she says, into her room, and said, 'You must be firm, and say I was only out ten minutes.' I asked him what could have happened, 'Nothing, not much,' he replied, 'You will hear more in the morning.' On this occasion, however, he says, "Did not I say something about Stanfield hall," that is, to consist with the story to which I shall call your attention. She denies it. "I trembled very much," she says. He asks the reason and said, "You appear as if you had got the ague." She continued, "he put a great coat on my bed, and I said, 'For God's sake what is it you have done?' He repeated, 'Nothing, not much,' I felt his hand tremble." She was cross-examined a great deal about something which she did not mention before. It appears that on one of the occasions he came into the bed. It will be for you to say whether her not mentioning a fact of that kind in a public court of justice ought or ought not to detract from the credibility of her testimony. That is her account, gentlemen, of the mode he had adopted several nights. Gentlemen, he has supplied what is wanting in her case. He has stated now that he did go out, and went by the path which we say he did, and though not *to, yet towards*, Stanfield Hall. So far again he confirms her testimony. There is a portion of the evidence about the 28th of November, to which I must call your attention. It is this: on the Friday night, he had made inquiries; on the Tuesday he is seen in his drive by a person named Cooper. In this case, he has no story as before to wrap it up in. He asked Miss Cooper whether she belonged to the Hall. She says, "I do not, but I come from the Hall." Then he asks her, "Are the Messrs. Jermy at home?" She replies, "Yes." She goes on towards Carlton, and he overtakes her. He asks her again, "Do you belong to the hall?" and he received the same answer as before to his inquiry. On that same night we find him at the other side of the estate, at the Wymondham gate, not making inquiry of the person who kept the gate, but of a stranger. [The prisoner said this was a mistake. Sergeant Byles referred to the depositions, and admitted he was in error. He proceeded:] I am wrong. Savory saw him at the other side of the park. We find him, therefore, that evening on two sides of the park; in one case inquiring of a person, who he had learned, was a stranger, and afterwards going out as Emily Sandford had detailed. Gentlemen, there is another circumstance which I must allude to—I mean the statement of the policeman—that he had mentioned the time of the murder. There is a statement before you which makes it even more probable than it was before, that he did refer to the time, because he says he was at the boundary of the two estates about that time. He heard the alarm bell, and he heard the shots. Now we gave that in evidence originally with a view of shewing that he knew the time, and now his own admission shews that he did. The evidence as far as it goes, is this: one policeman says he had a suspicion that the time had been mentioned. That detracts from the value of the evidence, but the necessity for it has since been removed. Gentlemen, there is one other observation which I have omitted. The evidence about the books was given on Saturday. It was then clearly proved that there were two books, and only two in his house. He has heard our solution of the facts of the case, but he has called no evidence on the subject. Now, gentlemen, you heard the first witness examined, by the name of Drane. Let me now just allude to the track and the bridge. We did not see him go that way, but we say, when he left that house, the probability is that he went across the fields in that direction nearly straight from Stanfield hall to Potash farm-house. Now you heard his cross-examination of the man as to the difficulty of going that way, and the gaps and tracts of land that he would have to get over. It now appears, however, that that track itself is used by him in the day-time, because we have called Mr Colman, who saw him on it when he spoke to him about the boy, with whom he had been talking, and to whom he said he had been to the hall, and was going to his house. Now, gentlemen, that was in the day time; but, according to the prisoner's own story, Joe and Dick, and the other persons who went with him, went over the fields; not exactly that way, per-

haps (we will not bind ourselves to that;) still, it has never been suggested that there is a better or an easier way than that. I say, therefore, the track which we suggested that he used in returning, is the track we now know that he used. We know, according to his own statement, if that be true, that some persons did go over that track, or some other, at night time, and on this very night, too. Gentlemen—I said something to you about the straw, and I will just call your attention to the way in which that evidence was given. I told you before, that the littering of the loke amounted to nothing, as they had been in the habit of littering it; they were, also, sometimes in the habit of littering the bank, along which, we say, we suppose he went. But the evidence is this: there is a boy, of the name of Smith, who is not in the employment of the prisoner, but of his son. His evidence was, that on the day of the murder, the prisoner desired him to litter a portion of the bank which had been littered before, and he scattered about 14 fork fulls. According to his evidence, it did not go to the end, but, according to the evidence of Futter, it *did* go to the end, except the place where you turn round, at the end of the bank, where there was a bunch of straw. We say, if a person went by night, the straw would direct him till he got to that corner. He would then see the bundle of straw, after which he would be on the green turf, and then on to the gravel which leads to the porch, in front of Mr Jermy's house, and the only place where any footmarks could be seen. [The prisoner said the first field, after they got out of that field, was the ploughed one, and it was not professed that there was any straw there.] Sergeant Byles remarked, that the bank to which he had alluded was between the fifteen acres and seventeen acres; that is the bank, he said, which was littered with straw. The next bank was a green one; and the only place where the footmark would be seen, is between where the straw ended the gap. There might be foot-steps seen there. Now he came to an important part of the case. Gentlemen, there is a pair of boots missing. I repeat it, there is a pair of boots distinctly proved to be missing, and I will tell you how that is. Learn then, that there were four pair of boots, and only two pair are produced. Emily Sandford says that there was one pair in his bed-room—a thick pair coming up to his ancles, with a strap behind to draw them on. There was also a pair of thinner boots with a strap behind to draw them on. There was also a pair of patent leather boots—that is the third pair; and there was a high pair of boots, higher than Wellingtons, coming up to the knee. These were the fourth pair. See how the evidence stands about them. The patent leather boots are accounted for; those with a strap behind, I mean the thin pair, are also accounted for; those that come up high are also accounted for, but where are the boots that were seen in the bed-room—the thick boots with a strap behind. Now observe, two pair of boots are produced here, which are the only boots except the high ones; but this pair which are here have been shewn to Emily Sandford, and she says these are not the boots that he had in his bed-room. The police cannot find them. The prisoner himself stated, before he made his address, that he kept a pair in that room, and he has said, he would produce these very boots. They are not produced. He has said that he kept them there, that he might go out of an evening without the servants knowing it. There was, as I have told you, a place where there might be a footmark, and it is important that these boots should not be found. Gentleman, they are not found. Either they are secreted or consumed by the large fire, I cannot tell which. But this is quite clear, for some reason or other, the boots went out in one either secreted or destroyed. If he had simply followed these men, Joe, Dick, and the lawyer, no earthly reason could account for the boots being missed. But if he went alone, and was apprehensive that his footmarks might be seen, there was a good reason for secreting or destroying them. But gentlemen, there is another observation arising out of those boots, which

I should not be doing my duty if I did not call your attention to. The prisoner is proved to have said to Emily Sandford, "you can clear me. When I went out I had my slippers on." It now appears that when he said, "you can clear me, because you know I went out with my slippers on," he was saying what was incorrect. Gentlemen, I am afraid I must add, that his own story shews that he was absent from his house at the time of the murder, and in the direction of Stanfield hall. And now for one word about the clocks. There are three pieces of evidence about them; but the fact that the clock at Potash was fast.—Emily Sandford said it was faster than the railway time. Futter, though he very stupidly could not give his reasons, stated the fact, that it was a quarter of an hour faster than the Stanfield hall time. The same evidence had been deposed by another; and you will observe, that if there is nothing in the fact, a quarter of an hour is given for his absence by that circumstance. But this is not necessary, for the proof lies with the man who states that he has walked it, and that it did not take more than a quarter of an hour by the track. Another observation I must make, gentlemen. What instrument was the murder committed with, a gun or pistols? I do not know, and it is not at all material; but the probability is, that they were pistols. And there is this thing to be said, that Pont swears that he remarked to the prisoner, "you had pistols once," to which he replied, "I had once, but I have not now." That might or might not be so. Again, gentlemen, he says this; "If I had been there, should not I have been seen by Honor Holmes, Clark, and the young men who were by the bridge." Gentlemen, I cannot help saying to you, that the prisoner's own story has disposed of that, because he says that there was not merely one or two persons, but he did not know how many. According to this then, there was more than one person there. Besides which, on a dark blowing night like that of the 28th of November, there would be but little difficulty for one or two, or even more persons, to escape without being seen. Gentlemen, another observation has been made. It has been said, "If I were the man, should I have come in by that side door." Now, gentlemen, that is an observation which deserves your attention. It must be remembered, however, that the person who killed Mr. Jermy in the porch, would naturally suppose that the servants or other persons in the house, particularly those in the parlour, would run towards the front door; but for some reason or other, however, young Mr. J. went towards the back, probably to alarm, or perhaps, to summon the servants. Whoever the man was who shot Mr. J. at the front door, he might conjecture that by going in by the side door, the backs of the people in the stair-case hall would be presented towards him. But, gentlemen, there is another reason. The paper says, there are two of us, and a man who knew the premises would add to the probability of there being two, if he shot Mr. J. at the front door, and then went in by the side door. These papers were evidently thrown down for the purpose of preventing an excess of servants to the part where the murders were committed. Now, gentlemen, I come to the story which the prisoner has told. Put yourselves in his position when he was before the magistrates. Why did he not state then that he had been consulted by the lawyer, that he had seen Joe or Dick, that he had on that very night been on the confines of his own premises, and had heard the discharge of fire-arms and the alarm bell. But no such defence as that was set up. The defence before the magistrates was, that Emily Sandford's story was untrue; and he said if she signed the depositions, he hoped her hands might drop off. The prisoner, however, knew about the man Joe. He had seen him at the back of the Swan. He had seen Dick holding a horse. Now before the magistrates he drops not a word of this [Prisoner: I have repeatedly said I had not the least idea that they would do such a thing as that, therefore I had no business to say anything about it.] Gentlemen, it could not have been them; they were strangers and could not have known the passages of the house.

ut I must call your attention to this: we have brought before you the men who made the claim—Larner and Jermy, the latter an inoffensive old man, who has been put into the box in order that the prisoner might ask him whether there was any suspicion attached to him. The papers found in the hall bear the signature of Thomas Jermy, the owner;” and yet Thomas Jermy has sworn that he could not write. We could not ask Jermy and Larner about these things; we did not know the story; we had no idea of it, but the prisoner knew that it was to be, and yet he asked nothing about it. But here is a new lawyer introduced, and what is to be done? “I saw him,” says the prisoner, “but twice.” But surely he asked his name. He did not, however, say what it was, for it would be dangerous to give the name of a lawyer, because every lawyer’s name is registered in a book, which increases in size yearly. But what is Jermy to do, and Larner to do, and the prisoner to do, if this story is true? Who and where is this lawyer. Besides how is it consistent with the paper, which suggested that Thomas Jermy had committed the deed. [Prisoner: That ought to be evidence in my favor, because if I knew that Jermy could only make his mark, I should not have written his name in full.] Gentlemen, there is no evidence about the mark. There is the statement of the prisoner. There is little difficulty in laying before the jury such a statement as this; but human nature, human society, and human affairs, are so constituted that if a man looks back to the transactions and circumstances that have passed and gone, he cannot make a false story with all the facts of the case. It will be for you to say whether or not all these particulars can be reconciled. There is a statement by the prisoner himself to which I must call your attention. You have seen me produce a cloak. I do not say that it is the cloak the murderer had on the night in question. It is one of the disadvantages which the prisoner labours under, in conducting his own defence, that whatever he says is evidence against him. He says “I had a blue frock which I used to slip on, and put my waist through that I might not be known, and that I might be taken as one of the labouring classes. This blue frock it appears, was buried in the yard. [Prisoner: Mr. Pinson has the remainder of it, and it is at your service (it can be distinguished.) But why bury it in the yard? It appears that he has been in the habit of disguising himself in either male or female attire, for there were found in the closet a great front. I do not say it was the wig he wore, God forbid I should attempt to identify it. Gentlemen, he says the blue frock is what he went out in that night; that is buried, and the boots that he says he also went out in that night, are not forthcoming. Gentlemen, that is a short outline of some of the leading facts of the case against the prisoner, independent of the direct testimony of four witnesses. But there is one branch of the evidence to which I have yet to direct your attention, and that is the motive. Now we have called a young man to whom my lord attributes but little weight. Perhaps I may not be disposed to coincide clearly with the view his lordship takes of the case, and you will of course be to some extent guided by him, and not by anything I can say. I do not desire to place too much credit on that young man’s testimony, and as you have heard his evidence, and the testimony of Mr Waugh with respect to him, I shall say no more, but leave it to you to say what attention to it you please. It does not appear to me, however, to be entirely destitute of weight. And now I will call your attention to the evidence of Mr Bacon, who states an expression, which the prisoner uttered so long ago as October, 1847. Speaking of him and Mr Clark, the solicitor, “D— them,” he said, “I will do for them the first opportunity.” I will lay before you, too, this pamphlet, in which there are threats to ruin Jermy, and many passages in which he is called a villain, and a great many opprobrious epithets. I also produce a letter from the prisoner to his son, in which he says, “I have at last got Jermy in a fix, and the rogue and villain knows it as well. How he will act now, will soon be seen, at all events he now knows if he ruins me, I can

him, or you would not have seen him as you have.” But the prisoner has also persisted in putting in two other letters, and there is a passage in one of them to which I must beg to call your attention, although I did not intend to use it myself. On the 16th of April, 1848, in a letter to Mr. Jermy, he said, “If you think I shall not take steps to ruin you and your family, you never were more deceived in your life. You do not know me yet. Hitherto I have done nothing but what I have told you of; but unless you answer this letter satisfactorily, nothing on earth shall prevent my treading in your steps, in paying you off in the same most villainous and base coin as you have me.” But, gentlemen, in addition to this, we have the fact, that after the distresses and after the action, as far as the landed property was concerned, it is clear that the prisoner had entered into an agreement with Larner and Jermy to deprive him of it at all events. A few observations on that, and I shall trouble you no more. It is now clear that he had gone to this length—that he had forged Mr. Jermy’s name to three documents. [Prisoner: It has never been pretended that such has been the case.] The documents have been laid before you, and they purport to bear Mr. Jermy’s name. Now the first time that he applies to this young girl to witness one of these documents was at Mrs. Stacey’s. He had been with her at Stanfield Hall, but she did not see Mr. Jermy. He says on this occasion, “I shall come after dinner, and shall bring you some dessert.” This is the first time she had ever put her name to any forged documents, and it is a singular thing that he comes after dinner, and with a small bottle of brandy. Now I call your attention to the conversation which took place: Sandford said, “You asked me to take some brandy, and I refused; I asked you to take some, and you refused.” He tells you, that taking spirits was not his habit. Now, possibly, I may be doing him an injustice, and it appeared so to his lordship. But the fact is this: he himself didn’t want it, and he says so; but he proposes to her to take some brandy, and this, too, when the first documents were produced for her attestation. When the second documents were brought forward, no such proposal was dreamed of. If these observations appear to be too strong, you will dismiss them from your minds. The only other observation which I have to make is this. There are three forged documents and agreements—one to postpone the time of payment of the mortgage money, (which, as appears from the prisoner’s pocket book, he had borne in mind,) beyond the Thursday—one to cancel the mortgage deeds altogether—and the other to prolong the lease on the Felmingham estates, which you find Mr Jermy was intent on his leaving. The details here, as elsewhere, were not of so much importance as the broad facts. By the mortgage deed the Potash was gone on the 30th of November. Now the prisoner, as has been shewn, had, in his possession, three forged documents, which could not have been produced with any likelihood of success in the lifetime of Mr Jermy. And they would be produced with better chance, if neither Mr Jermy were alive, nor his son, nor his wife, for his wife appears to have been present at the last interview. [Prisoner declared that he did not even know Mrs Jermy.] I hope I shall be corrected, if, in any respect, I fall into error. What we submit to you is this, that, in addition to the bad feeling of the prisoner against Mr Jermy and his son, one of the witnesses says, he could get on with the old man, but the son was his greatest enemy. The prisoner had no property; he was about to be turned out of his premises, the obstacle to success of that forgery was the life of Mr. Jermy; possibly the life of Mr. Jermy jun. and the wife. Gentlemen, I do not think the first shot was ever intended for Chestney. The murderer might have killed the butler if he had chosen to do so. But he gave the butler a hint with his elbow, which, considering the circumstances, he very prudently took. And now, gentlemen, it remains for you to say, whether we have laid before you a reasonable motive on the part of the prisoner for the perpetration of such a deed. We are not bound, indeed,

to lay before you any motive where there is direct evidence. In fact, in one sense, no motive can be sufficient for the commission of any crime; for crime itself is the greatest sin a man can commit against his own interest; but looking at the infirmity of human nature, do we or do we not present to you a case in which a motive is shewn sufficiently strong to induce the commission of such an awful deed. I do not propose to make any further observations, except to state that we bring before you also circumstantial evidence; and I call upon you to bear in mind that there are many cases of atrocious crimes which can be proved by circumstantial evidence alone, because persons committing such deeds, generally surround themselves with the profoundest secrecy. That murder has been committed is quite clear, and upon what other person than the prisoner can suspicion attach. Gentlemen, I know none but Jermy and Larnier. These men have been put into the box, but the prisoner has abstained from putting any questions to them on that subject, and the inference is that the papers found in the hall were altogether false. I have now, gentlemen, to leave the matter in your hands, having no doubt that you will do your duty to the prisoner and the public.

The Summing Up.

His Lordship at once proceeded to address the jury.

Gentlemen of the jury, your opinion on this case must be formed entirely on the testimony which has been given in this court. The first thing, therefore, is to consider what the fact is which now claims inquiry. We are inquiring into the murder of Isaac Jermy, and under what circumstances he came by his death. That you must learn from the testimony given in the few preceding days. It is detailed by a number of witnesses, and of the fact there cannot be any reasonable doubt; but, as from the peculiar circumstances it may be desirable to shew that death took place, I shall call your attention to what each witness says on the subject. [The Learned Judge read in succession the evidence of Watson, Eliza Chestney, and Margaret Read, the cook.] He then continued—That is the account of the murder given by the three witnesses alluded to. It is confirmed by two pieces of evidence put in on the part of the prosecution. I allude to the depositions of Mrs Jermy, one of the unfortunate sufferers, and of Maria Blanchflower, the nurserymaid. Therefore, you have now the account of five people, who were more or less witnesses of what took place. Again, the testimony of Edward Harvey, the young man who was called early on Friday, is not unimportant. [The Learned Judge read the evidence.] The testimony of Honor Holmes differs from that of Harvey in this respect, that she did not see anything, and that when they got 145 yards they heard a sound like the slamming of a door, and that when 200 yards away the sound was repeated. I may say here, by way of anticipation, it being certain that only four shots were fired, that the difference of the witnesses prepares us for what human experience shews, that when people are giving an account of transactions which excite them strongly, they never give the same account of them. This is admirably illustrated by the present case; and you, gentlemen, must not attribute the least importance to such discrepancies. God knows if we shall ever be in such a state of excitement as these witnesses were then in; but who can say that he would have his faculties sufficiently about him under such circumstances to observe what happened? Even where there is no excitement a great difference in the minute details of evidence always arises. In the present instance, one witness who had his eyes to the door saw a figure and a flash of light, while the other, whose attention was not directed in that way, saw nothing. About twenty minutes after, the body of Mr Jermy was found in the porch, and was carried with that of his son into the dining-room. Both were examined, and from both a number of pieces of lead were taken. Whether these pieces of lead were like round shot or slugs is entirely unimportant to the question which we are now considering. What, then, do we infer from all this?

Whatever other matters are in doubt, it seems clear that the person who shot young Mr Jermy was guilty of the murder of Mr Jermy, sen., also. I cautiously use the words "was guilty of the murder," because it is a possible hypothesis that the hand that shot young Mr Jermy was not the hand that shot his father. I need, however, hardly tell you, that if two or more persons come together on a common enterprise, and one kills one victim and the other another, they are both equally guilty of the murder of each. If it was done by two persons it was done in concert, because the hypothesis that they should come for such an object without concert is obviously absurd; but if there is any doubt about that, the similarity of the slugs found in the two bodies and on the floor proves the thing to demonstration. Therefore, it is clear that the man who was in the house was guilty of the murder of Mr. Jermy, whose body was found in the porch. There remains, then, only one thing, viz., to discover who was the man who shot Mr. Jermy. The prosecution says it was the prisoner, and that is the point which you, gentlemen, must satisfy yourselves upon. To shew you who was the man, the first evidence is the same that I have already called your attention to in shewing what the prosecution was. (The Judge read the evidence of Watson, Chestney, and Read, on this point. He was interrupted by the prisoner, who wished to have mentioned some little discrepancy as to his movements.) The learned Judge then continued:—It makes no difference in the world where the man was when Watson met him. It does not matter a farthing whether he had turned the corner or not. You see that out of the five witnesses who saw the murderer at Stanfield hall, four state their confident belief that the prisoner was the man. The fifth never saw him before, and could only say that the murderer was a stout-built man. Now, this is very cogent as evidence, but at the same time several observations would apply to the evidence if it rested there. The very confusion attending such occurrences was unfavourable to such evidence, and I have pointed that circumstance out in every case when laying evidence of the kind before a jury. There is no sort of evidence that is given which is more convincing, and yet which has been more frequently proved to be completely unfounded. A striking instance of this occurred in a case where a jury convicted a man of a gross and murderous attack upon another person. It afterwards turned out that they were mistaken. But at the same time, in my experience, these mistakes were in the instances where men had a long time to look at a person who was previously a stranger. We are less likely to be deceived in the appearance of a person we know, than by looking for awhile at one we don't know. If any of you, gentlemen, begin looking at a man sitting at that table, and he goes out, I think you would pause before you swore to him afterwards; but if you have only a sufficient knowledge of a man's appearance, a momentary glance will, in an instant, tell you that it is he. Take, for instance, one of your children; you will recognize him at once by signs which perhaps it is impossible for you to describe. You will say "I don't know how, but I am as certain as I am of my own existence. I feel a degree of confidence which it is impossible for me to doubt." The question therefore comes—Had these four witnesses a sufficient knowledge of the prisoner Rush? His Lordship was about to allude to the evidence of Mrs. Jermy as to her knowledge of the prisoner, when Rush interrupted—

Prisoner—My Lord, I don't know this Mrs. Jermy. Baron Rolfe.—That is a proper observation, and I don't complain that you set me right. Yet one can't understand but that Mrs. Jermy must have been in the habit of seeing the prisoner. That being so, he was in the position of a man not an entire stranger. The servants were in the habit of seeing him go along the passage. It is made out that the man who was seen there on the night of the murder was disguised—how we don't know. But if a person is well known it is not quite so easy for him to disguise himself as at first sight may be supposed. That being so, the four

itnesses swear as I have read to you. I would advise you not to pay much attention to the difference between the use of such words as "I believe it was the prisoner," and more positive expressions. All you now is the confidently expressed opinion, that the prisoner was the man. It thus becomes very important to see what other evidence there is; whether there be circumstances consistent with the guilt of the prisoner and inconsistent with his innocence. The main evidence that is relied on for this I proceed to notice. Rush is living at Potash farm. His Lordship then proceeded to read his notes of the evidence of Emily Lindford, and when he came to that portion of it where she said the prisoner went out and returned about nine or half-past nine o'clock, observed—"Now, if he is a guilty man it was during this interval he committed the murder; if innocent, he was otherwise occupied." Having concluded the notes of her direct evidence, his Lordship proceeded to her cross-examination. The prisoner's account of his behaviour was, that he was moved to tears by reflecting on his behaviour to her, and by thinking in how terrible a position he had placed her, so that he could not take her to the concert. He says he was touched by her ready acquiescence, and moved to tears by the way in which he at once consented to forego her wishes with respect to the concert. She goes on to say that on the night in question he went out about seven or half-past seven o'clock.

Prisoner.—When you get on further, my lord, you will find something else—she said it was an hour and half between the time I went out and I returned.

The Judge.—I can only state what I have got here, in her cross-examination by the prisoner it was admitted by this witness that he went twice to her room that night, although she said nothing about the second occasion of his going into her room. It further appeared in her account of that night, that the prisoner in going into the room had talked a good deal, and that among other matters they had spoken about the concert; and so far this bore out the assertions of the prisoner, for they conducted themselves as if they were man and wife, and as if nothing horrible had taken place. However, it is for you to say whether this was blind or not, but as far as it goes it bears out what I have said about the concert. Supposing nothing else had been proved, these facts would not shew what he did, but they would shew that there was something or other which pressed very heavily upon him. If the evidence rested there, the effect of it would be that Mr. Jermy was murdered—that four people felt confident, more or less, that Rush was the murderer—that he was out at the time of the murder, and returned home under circumstances which shewed his consciousness of something very terrible having happened. From the first moment this evidence was given, my attention was given to shew how the rest of the evidence might be brought to bear upon it, and how it could be explained away; for as it stood there were two or three modes by which it could be cleared up. The prisoner, for instance, might have been out in search of a poacher, and might have met and shot him. His agitation so far shewed that something terrible had happened, but not that he was a murderer. But coupling it with the fact that he was recognized at Tanfield hall, it might be difficult to come to any other conclusion than that he was the guilty man. The prisoner, therefore, made a statement, the object of which was to shew that all the witness stated was true, or strictly so, but slightly coloured; but that his conduct arose, not from the fact that he had been murdering Mr. Jermy at the hall, but that he knew something was going on and that he was therefore agitated and alarmed. [**Prisoner.**—After I heard the fire-arms.] Yes. The account he gives is this—(His Lordship read from his notes the statement, and continued)—Now, gentlemen, if this were true, the prisoner certainly would not be guilty of the murder of Mr. Jermy, but, morally, I could not see much difference in his conduct. He had heard shots fired and the bell rung at the hall. He must have guessed something terrible had happened; but he went quietly back, and made no

effort to assist the people living there. However, the morality of this act has nothing to do with his present guilt. But let us see if it is possible to give credence to this account, setting out of view that fact, that in spite of his animosity he should but have tried to save the life of one whom he called his friend, and of his son. When he was taken up next morning at eight o'clock, and when the police said to him "You are said to be the man who murdered Mr. Jermy last night," would he not, if he possessed common sense, have said, "I murder Mr. Jermy! Never. I know who they were that did it, and I will give you the best account in my power. One of them is a man named Joe, and another is a man named Dick, and another calls himself a lawyer. They were the people who did it, because I know they were going to take forcible possession that night?" That was what a man's interest, under the circumstances, would have induced him to say. You, gentlemen, may form your own opinion upon it; but I confess that is the light in which it strikes me. I am bound to see equal justice done between the prosecutor and the prisoner, and I see no other way in which I can put this. He knew a dreadful outrage was going to be committed; next morning he hears that two gentlemen have been murdered, and a lady and her maid all but murdered, and he never says one syllable about the whole affair except on this day, and in the course of last January, when he says he wrote a letter to his solicitor, with an intention of stating all he knew about it. Here, then, the facts stand thus—(His Lordship recapitulated the evidence so far.) You see, then, he returned home at the time in the greatest possible agitation. He knew something horrible had happened, because, according to his own statement, he had heard shots fired and the hall bell ring. He is taken up, and he never gives the least hint of this story, though it would have absolved him at once, if true; for, if so, there would have been some trace of the people he mentions—some of those persons engaged in the business would have come forward and said, "I was employed in taking possession, but I was not an accessory to a murder." But no one of these people is found—no one comes forward. I have watched with the greatest anxiety, and have looked over the papers to which I had access most carefully, to see what explanation could be given, and the moment he came to this part of his case, I gave it my most undivided attention, and this is my deduction. But, if this statement should be an untruth, how does the matter stand? Not only do all these people say it was Rush, and not only is it proved he conducted himself in an extraordinary way on the night in question, but, some time after he is arrested, he conceals a completely false story of his whereabouts at the time of the transactions which then took place. These are the main features of the case so far, but there are details to which I shall shortly direct your attention—I say shortly, because, if the main features do not satisfy you of the prisoner's guilt, I never would have you to rely on very minute circumstances, as they are apt to deceive, and you cannot fully depend on them. These minor circumstances are these. The murderer dropped two papers in the hall. It has been attempted to be shewn that these papers came from Rush. (His Lordship read the notices signed "Thomas Jermy.") That Thomas Jermy knew nothing of these notices was quite clear. Who, then, wrote them? In order to shew it was the prisoner, Jesse White swore it was his handwriting, though in a disguised hand, and that there were two or three of the letters which he knew to be Rush's. Now, I must say, if I were a juror, I would not attribute a feather's weight to this. The witness, no doubt, thought he was right, and might be so, but, in printed characters such as these, it would be almost impossible to speak with confidence, and such evidence was unsatisfactory. All you can say is, the papers were written by some one whose writing is not dissimilar to that of the prisoner. But there is other evidence of some importance. Among Rush's papers were found two books, just of the size, and with similar covers to those produced. The prosecutors say that the covers on which the notices were written were

like the covers of these books, and I can only say the same also. In the books found in Rush's house are two, with the label of the makers ("Messrs. Jarrold") upon them. Mr. Jarrold, on being called, says, that in 1848 he made up certain books, for the purpose of teaching book-keeping, in sets of five—three large and two small. The three large had labels upon them. The probability, therefore, is, that whoever had bought two of these books would have bought the third, and, inasmuch as only two were found in Rush's house, that he must, at some time or another, have had the third. It is said, that the covers on which the notices were written are exactly such covers as those of the missing book would have been. They are of three sheets of paper, in order to make them strong for children's use. This evidence is, to my mind, much stronger than that of the handwriting; but I do not rely much on it, for, after all, who could tell but that the book might have been taken from the prisoner by some other person, and the book might still be somewhere at his house? It is suggested, that where two books are found, you should find three; and this goes, in some degree, to connect the prisoner with the notice.

Prisoner—There is one observation I wish to make, my lord. Mr. Jarrold sold 100 sets of these books. Do you think you could get them complete in every house you went to? This is really extraordinary.

The Judge—Well, that is very fair. I put the case in another way. There is another circumstance mentioned, but I don't think you can attend to it. The book missing is the cash book. In the cash books of the set, faint lines have been made on the covers by the ruling; and, if it were light enough, you could see similar traces on the covers produced. In addition to this, it has been relied on for the prosecution, that the prisoner was in the habit of going out, about the same hour, on several nights before the 28th, and the suggestion is, that he did so with the intention of committing the same crime which he afterwards had an opportunity of doing. Whether that may be so or not I will not say.

Prisoner—It's extraordinary to say I went out at the same hour, my lord; no such thing was proved.

The Judge—I really don't think it matters whether you went out half an hour more or less. (His Lordship then reviewed the effect of the evidence so far, and continued.) The morning after the murder the police went to Potash, and somebody at the hall must have told them to do so. It is stated by the prisoner, that this should go to his favour, because they went there on account of his known hostility to Mr. Jermy. At all events, they had the police watching the farm, and the prisoner conducted himself like a man who had committed a great crime, as well as giving a false account of himself when he is arrested.

Prisoner—But was it likely I should have made the observations I did to Emily Sandford if such a thing had been on my mind?

The Judge—The prisoner suggests, gentlemen, that what he said when he went home was in his favour, and you are not to mind the inferences I draw, but to form them for yourselves. The next question is, what could have prompted the prisoner to so dreadful an act—one, happily, so unusual and unprecedented, as for a man to go out in the dusk of evening to murder the owner and the son of the owner of the adjoining estate, and to attempt the life of a lady and her servant? It is true great crimes are often perpetrated without any imaginable motive, but when motives did appear to exist they were so far a means of arriving at a satisfactory conclusion. On the part of the prosecution it is attempted to be shewn, that a most malignant feeling existed on the part of the prisoner towards Mr. Jermy. I confess I pay no regard to the evidence of Howe. I don't inquire whether it is true or not; but suppose a man talking to a lawyer or his clerk about a lawsuit to use angry expressions, it suggests no more to my mind than if he said, "I'll break his head." Other observations of a similar kind I would dispose of in the same way; but these remarks do not apply to two letters which the prisoner put in evidence—one dated April

26th, containing a most malignant strain of expression towards the deceased, and another of an earlier date. But in addition to this, there is attempted to be shewn a long series of transactions which led to the result, that if the Jermys could be murdered, a large property to the amount of many thousands, would come into the possession of the prisoner, and which, if they were living, he could not get. If this be true, it is not confirmed or weakened by anything I have said. The evidence of this motive is to be found in the papers to which I shall now call your attention. There were in London two claimants to the Stanfield hall and other estates, named Jermy and Larner. The prisoner held leases of two farms at Felmingham, of which the leases would expire on Michaelmas. In October he entered into a negotiation with these men to put them into possession of the Felmingham property, on the understanding that they would sign an agreement to give him a beneficial lease of those farms; but as possession could not be had till the 11th of October, there was another agreement, actually carrying out the terms of which the agreement of the 3rd of October contained the effect, signed subsequently. It was arranged that Emily Sandford should come down to Norwich on the 5th of October. She was met by Rush, and he brought her over to Potash. At that time it was occupied by his son and son's wife. She was taken to Rush's bed-room, which was separated from the rest of the house. On Tuesday following it was proposed she should go over to Norwich. It was arranged that Savory, the servant boy, should drive her. The prisoner was to go in the gig with her towards Stanfield hall, where he said he wanted to go. They went as far as they could in the gig, when they got out. He went to the hall. She waited twenty minutes, and when he returned he said he had not finished his business with Mr. Jermy, but hoped he should do so. His Lordship then read his notes of the subsequent evidence of Emily Sandford as to the copies of papers which she made at Rush's request while at Norwich. His Lordship then read the papers, and commented on them with great care and minuteness, during which he was several times interrupted by the prisoner. If those papers had been prepared before the murder, it is useless to speculate on any further motives. The forgeries could of course have been detected during the lifetime of Mr. Jermy, but after his death these could have been put forward as genuine deeds. Supposing the wicked design actually fixed on, there was no time to be lost. On the Thursday following the murder, Mr. Jermy would have a right to take possession of Potash. Here, then, the prisoner is connected with deliberate fraud, and he waited till the last moment of time when it was desirable to carry his design into execution. I have looked very carefully last night over all the evidence, to see if there is any thing to affect the credit of Emily Sandford on these points, for, as to what took place on the night of the murder, it is impossible to deny it because it is admitted by the prisoner. In her first depositions she stated what, if in charity we must not think to be a deliberate perjury, was at least stated with an intention to deceive; and there is certain reason for distrusting, though not disbelieving, the evidence of a person who has departed from the truth (His Lordship then read his notes of the evidence of Emily Sandford at length, and compared it with her depositions as he went along.) Looking at the case chronologically, you have a strong motive pressing on the mind of the prisoner to get rid of the Mr. Jermy. Two nights before the time when it was necessary to murder him to make the forged documents available he was murdered. He was seen by five people, four of whom say that it was Rush, though disguised. On that night he was from home at the time of the murder. He confessed that there was something going on he was greatly agitated on his return, and told the woman he was living with to say that he was only out ten minutes. Before the magistrates he gave no explanation, but now he comes out with the story you have this day heard for the first time. It is quite clear that the dress he was out in that night has been made away

ith. He confessed that he had burned the green
 pek, and the pair of boots in his bed-room were not
 counted for. Do these things not convince you that
 he did the murder? If from any thing that has been
 id you have doubts, your verdict must be *NOT*
UILTY; but, at the same time, it is not permitted
 any body of men to conjure up doubts, if, in the
 otom of their conscience, they feel none.

The jury then retired, and, after from five to ten
 minutes, again entered the court. At this moment, a
 eathless silence prevailed, and all eyes were anxious-
 irected to the jury box. Meanwhile, the prisoner
 ood at the dock, apparently as cool and as free from
 excitement, as though he was in no way affected by
 e verdict to be pronounced.

The decision of the jury was then demanded by the
 ourt, and the foreman, in a faltering voice, pro-
 nounced the prisoner

Guilty.

The prisoner, on hearing the verdict, said, in a con-
 tent tone, "My lord, I am not guilty, for all that,
 hank God Almighty."

When asked why sentence of death should not be
 ronnounced upon him, he remained silent, and his
 rdership putting on the black cap, delivered in a most
 npressive manner, the following

Sentence.

James Blomfield Rush, after a trial unusually pro-
 tracted in length, you have been found guilty of the crime
 of wilful murder—a crime the greatest which one hu-
 an being can perpetrate towards another—a deeper crime
 nder any circumstances of extenuation, but I regret to
 y, in this case, there is every thing which can make
 of a still deeper dye—which can make the guilt of a
 haracter the most horrible. It appears from letters
 hich you have yourself written to the father of the
 unfortunate victim of your malice, that you felt
 ou owed to him a debt of deep gratitude. You com-
 menced a system of fraud by endeavouring to cheat
 our landlord; you followed that up by making that
 unfortunate girl, whom you had seduced, the tool
 hereby to commit forgery; and having done that, you
 ave terminated your guilty career by the murder
 of the son and grandson of your friend and benefactor.
 Unfortunately happens that great guilt is some-
 times, in imagination at least, too nearly connected
 with something of heroism—something that dazzles
 he mind; but fortunately in your case, you have
 made vice as loathsome as it is terrible. There is no one,
 fter he has witnessed your conduct during this trial,
 nd heard the evidence disclosed against you, that
 ill not feel with me, what I say, when I tell you, that
 ou must quit this world—by an ignominious death—
 he unmitigated abhorrence of every well-regulated
 ind. I shrink not from making this statement,
 ot for the purpose of creating curiosity, but for
 he purpose of pointing out to you the awful situa-
 ion in which you stand. To society it must be a
 atter of the most perfect indifference what will be
 our conduct in the few remaining days of your life
 hat yet remain for you. No concealment of the truth

in which you may continue to persist, will cast the
 slightest doubt upon the propriety of the verdict
 which the jury have returned. No confession which
 you can make, will add even a taper's light to the
 broad glare of day-light which has been disclosed
 against you. As far, therefore, as society is concerned,
 as to the conduct which you may pursue during the
 few days of your life, it is perfectly indifferent; but
 to yourself it may be all important, and I can only con-
 jure you by every consideration of necessity, no less than
 duty, that you employ that short space of time that yet
 remains to you, in endeavouring by penitence and
 prayer, as far as may be, to reconcile yourself to that
 offended God, before whom you are shortly to appear.
 In the mysterious dispensations of the Almighty, not
 only is much evil permitted, but much guilt is also
 allowed to go unpunished. Perhaps it is presumption,
 therefore, to attempt to trace the finger of God in the
 development of every particular guilt, or crime; but the
 mind does delight sometimes in making such investiga-
 tions, and I can in this case but remark, that if you
 had performed to that unfortunate girl the promises
 you made her, to make her your wife, the policy of the
 law, which seals the lips of a wife in any proceedings
 against her husband, would have permitted you to go
 unpunished. [The prisoner here remarked, that he
 had never promised to make Emily Sandford
 his wife.] You have been convicted on testimony
 so clear, that observations or comment are perfect-
 ly unnecessary. Having thus charged you
 as to the small portion of your life which
 remains—for all human interests with you are now
 at an end—I will only add my earnest hope that the
 only social right which yet remains—entire seclusion
 —may be guaranteed to you, that neither morbid
 sensibility nor the idle curiosity of the world will be
 allowed to pry into the secrets of the murderer's cell,
 or to raise a factitious interest about that in which
 you alone are concerned. It remains only that I pro-
 nounce the awful sentence of the law upon you, that is,
 that you be taken to the place whence you came & from
 thence to a convenient place of execution; that you
 be there hanged by the neck until you are dead; and
 that after death your body be buried within the pre-
 cincts of the jail in which you may be confined under
 this conviction; and may the Lord Almighty have
 mercy upon your soul.

The prisoner then looked to the judge as if he would
 say something, but he was immediately removed.
 Throughout the passing of the sentence he did not
 evince the slightest concern or emotion, and, when
 leaving the dock, a smile was seen on his countenance.
 The trial terminated about a quarter after eight
 o'clock.

Thus ended one of the most protracted and
 important trials that has ever fallen to the lot of a
 journalist to record. It lasted from nine o'clock on
 Thursday, the 29th of March, to half-past eight
 on Wednesday evening, April the 4th, the intense
 interest and excitement of the public continuing to
 increase day by day, until the conclusion of the inquiry.

THE CONVICT RUSH.

The following particulars are extracted from the "Norfolk News" of April 14th, 1849.

The proceedings of the prisoner in his seclu-
 sion have been the subject of constant inquiry,
 and the wildest rumours which fancy could in-
 vent have been afloat respecting him. The
 following memoranda may be relied on:—Shortly
 after leaving the dock he complained of thirst,
 having wearied himself very considerably by his
 long defence and cross-examinations. He seemed
 somewhat depressed for a short time, during
 which he sighed out the expression "This is
 indeed a troublesome world." The effect, how-
 ever, of this sad reflection soon disappeared;—
 exhausted in body and mind with exertion and

suspense, he soon fell asleep, and slept soundly
 during the entire night. On the following day
 Rush was asked whether he would wish to receive
 the visits of the Rev. J. Brown, the Chaplain
 of the Castle; he, however, very courteously
 declined the Reverend gentleman's spiritual ser-
 vices, observing that he had made his peace with
 God prior to the trial. He has been visited,
 however, by the Rev. W. W. Andrew, of Hethel,
 at his own request; the Chaplain also has since
 had some communications with him. On Satur-
 day he was visited by some members of his
 family, who, we believe, are very naturally im-

pressed with a conviction of his innocence. The visits have since been repeated. In Rush's deportment, since his conviction to the present moment, some slight change has taken place; his confident and lofty tone has been considerably subdued, but he still adheres to his protestations of innocence, and of the truth of the tale about "Dick, Joe, and the Lawyer." Indeed so strongly does he assert the veracity of this tale, that he has expressed himself desirous that his defence should be brought under the especial notice of the Queen, that Her Majesty may be pleased to investigate the story, and to see if "Joe, Dick, and the Lawyer may not yet be found." On Sunday afternoon he attended divine service at the chapel, and strictly complied with all the forms of the service; and during the delivery of the sermon he appeared to be in a

state of close meditation. He still remains in the cell in which he was placed immediately after his conviction, and preserves the appearance of a strong desire to have no communication whatever with any of the officials, or with any other persons but his spiritual advisers and his family. Mr. Pinson—the Keeper of the Castle—informs us, however, that the public are very eager to catch a glimpse of the murderer, and that notwithstanding the very judicious observations of Baron Rolfe, that neither morbid sensibility, nor the idle curiosity of the world, should be allowed to pry into the secrets of the murderer's cell, many persons totally unconnected with Rush, have made applications to see him. These applications, have, of course been in every instance refused, and the prison regulations have been strictly adhered to.

THE EXECUTION.

At an early hour on Saturday morning, April 21st, 1849, workmen might be observed employed in the erection of the drop. The spot chosen was on the west side of the Castle, midway on the bridge which on that side spans the moat. Its position and effect were very striking from the battlements behind it, having an immense black flag, which by the orders of the High Sheriff had been placed there to mark the extraordinary guilt of the criminal who was about to expiate his offence on the scaffold. This great banner waved slowly in the wind, and gave a solemn and funereal look to the whole scene.

The early trains from Yarmouth and other places were loaded with passengers. The arrivals were also very numerous from Suffolk, and even Essex, and, as was expected, an immense crowd of spectators were attracted to the scene.

As the fatal hour approached, the numbers rapidly increased; for many, it was evidently a day of great excitement, and they crowded to the execution as to a theatre or public exhibition; others came obviously in a different spirit, to notice the dying moments of a man whom they had known in their daily pursuits, and to see how he bore himself in that hour, when oppressed by the recollection of such tremendous crimes.

We turn from the crowd and preparations outside the Castle, to the unhappy convict within. As the awful hour approached, no favourable change was manifested, but he retained his sullen conduct to the last, asserting his innocence, and seeming angry when his protestations were received with doubt.

He had been attended in his cell by the Rev. J. Brown, Chaplain of the Castle, and the Rev. W. W. Andrew, who remained with him until the hour arrived.

Precisely at twelve the procession left the condemned cell, headed by the Sheriffs and javelin-men. The convict walked with a firm step, and was attended by the executioner, who stood immediately behind. As the procession emerged from the Castle, the chaplain of the gaol joined it, and commenced reading the burial service of the Church.

The wretched man was dressed in a suit of black, and his arms were closely pinioned. His bearing was firm, manifesting not the least sign of terror at his approaching fate. He ascended the scaffold and took his place beneath the beam without the least support, shaking hands with the governor, and bidding him farewell.

After a short lapse of time, the signal was given—the drop fell—and, after a few severe struggles, James Blomfield Rush had suffered the awful penalty of his crimes.

EXECUTION—FURTHER PARTICULARS.

The following particulars we owe to the courtesy of Mr. Pinson, Governor of Norwich Castle, and of the Rev. Mr. Brown, Chaplain to the Gaol. These gentlemen state that Rush, from the commencement of his imprisonment, assumed the character of innocence and piety, and so carefully asserted his pretensions to these qualities, and so overacted his part, as to throw at once the strongest suspicions on his sincerity. He took every opportunity of denying his guilt, professing perfect tranquillity and unhesitating confidence in his acquittal. His constant language was, "Thank God, I am quite comfortable in body and mind; I eat well, drink well, and sleep well." The wretched man's sleep, however, was observed by his attendants not to be so quiet as he himself represented it. He was constant in his attendance at chapel, and very soon after his committal requested the chaplain to administer the sacrament to him privately. This, however, the chaplain refused to do, and thereupon Rush lost all confidence in him. After conviction he requested that the Rev. W. W. Andrews, of Felmingham, and the Rev. C. J. Blake, of Ketteringham, might be permitted to visit him in Mr. Brown's company. This wish was of course complied with, and no doubt the convict expected to work upon the minds of those gentlemen, whose churches he had been in the habit of attending, a conviction of his innocence. Finding, however, that he was deceived in this hope, and that he could not impose on them a doubt of his guilt, he became dissatisfied with them also, and his last interview with them, as will be seen, terminated in a violent altercation. The chaplain, who had determined to refuse to him the sacrament while he remained impenitent and without confession, was apprehensive that he would request to have it administered on the day of his execution. He, however, expressed no such wish, but about five minutes before he left the chapel to be pinioned he said, he had hoped that it had been the intention of Mr. Blake and Mr. Andrews to receive the sacrament with him. The chaplain came to him about half-past eight o'clock this morning, and he seemed glad to join in devotion, but whenever his guilt was assumed, and confession and repentance were urged on him, his constant reply was, "God knows my heart: He is my judge, and you have prejudged me." Last night, at nine o'clock, Mr. Pinson went to speak to Rush relative to a letter sent to him by his eldest daughter, expressed, it is said, in a very proper and feeling manner. Mr. Pinson had two doors to unlock close to the bedside of the prisoner before he could approach him, yet Rush professed to have been in a profound sleep when awakened by him. He had not retired to rest more than half an hour previously, and Mr. Pinson was perfectly satisfied that he could not have been asleep as he pretended. He kept his bed till eleven or twelve o'clock, and told the turnkeys in attendance on him that he had had a beautiful sleep, yet no five minutes in the interval had passed that his eyes were not wide open and fixed on theirs. About two o'clock, becoming very restless, he got up and commenced reading a religious book, passages of which he interlined, expressing, at the same time, a wish that the book might be given to his family. Thus two or three hours of the short time remaining to him passed away. He then got into bed again, but could not rest, and was up and down constantly until the chaplain came to him. For breakfast he requested that a little thin gruel might be given to him. He was then engaged in reading till after ten o'clock, when he went to the chapel and heard service performed with the other prisoners. This lasted till twenty minutes to twelve o'clock, and at its close he was left with the chaplain and Mr. Andrews. They again solemnly urged upon him the duties of repentance and confession, but he became much irritated, repeated his innocence, and said that the real criminal would be known in two years. He was proceeding to quarrel violently with them, when Mr. Pinson entered the chapel, and removed him. Mr. Pinson states, as a further illustration of the prisoner's state of mind, that he hardly ever visited him without his saying, "Thank God Almighty, all is right." At one of the interviews with his family, at which he was present, Rush asked whether the Queen would be in a hurry to hang him; and, upon being expostulated with for using such an expression, added, "I am all ready for that. You cannot suppose that, having prepared my defence, I am not ready in that respect. Thank God Almighty, I am quite prepared to die." Nothing in his conduct is more remarkable than the reliance which he placed upon his defence of himself, his confidence in his power to convince others of his innocence, and his anger at hearing that the world was unanimous in thinking him guilty. On leaving the chapel, he went into the prison-yard and washed his face and hands and the back of his neck with cold water at the pump. From the prison-yard he was conducted to the room of one of the turnkeys, where Calcraft, the executioner, was waiting to receive him. On observing him, Rush said, "Is that the man who is to perform this duty?" To which Mr. Pinson replied that it was. Calcraft then desired him to sit down, which he did, and the operation of pinioning commenced. The prisoner, who appeared perfectly calm and collected, said with a shrug, "This don't go easy; I don't want the cord to hurt me." His request was complied with, and the rope was moved a little to give him relief. He then said that he was comfortable, and the sad procession having been formed, he was conducted to his doom.

These details will furnish some idea of what had taken place within the Castle previous to the moment of execution, and of the frame of mind in which the wretched being was, when about to be referred from the justice of man to the awful presence of his Maker. It is now necessary to give some description of the preparations which had been made for rendering the execution of such a criminal as solemn and impressive as possible. For this purpose the situation of Norwich Castle and the style of its archi-

ecture are strikingly adapted. It is a fine massive structure, the principal feature of which is an immense square tower, supported by buttresses, between the intervals of which a profusion of small blind arches are panelled. From this tower extends on each side a low battlemented wall, within which the prison is placed. It stands on a hill or mound, which forms the highest ground in Norwich, and has a commanding view of the city, with its cathedral and numerous churches, and also of the surrounding country. The strong grey walls are surrounded by a spacious terrace, beneath which is the moat, and beyond that again an iron railing. The principal approach is from the market place, and is about 100 yards in length, the centre being formed by a bridge over the moat. On this bridge the drop was erected, and so situate, had, as may be imagined, a very striking effect. This was heightened by an immense black flag, which was suspended over the entrance to the Castle, and which, as it surged slowly in the wind, was well calculated to solemnise the minds of the spectators. Although it was market-day, there was no great collection of people on the fatal scene until the hour of execution had almost arrived. The morning was cold, dismal, and cheerless, and the few groups who collected on the hill were principally farmers, attracted there as much by business as curiosity. They eyed, at a respectful distance, the dreadful apparatus of death, and in little knots, with bated breath, talked over the fate of the wretched man, whom many of them had no doubt known and bargained with, and whose occupation in life had been similar to their own.

As the day advanced, the sun shone out, and the inhabitants of the city came up in greater numbers to the spot. Shortly before twelve o'clock the number of spectators received a great accession. The trains from Yarmouth and other places came in loaded with passengers, and the population of the whole surrounding country poured towards the spot. There might have been 12,000 or 13,000 people present—a large number, certainly, to be attracted by curiosity and the love of excitement to a spectacle so painful as a public execution. Among them, as is usual on such occasions, were a large number of women and boys, eagerly looking forward for the appearance of the prisoner, and passing the interval very much in the same manner as the galleries of our great theatres do between the acts on a Shakspeare night with Macready as the star. Some housetops had a few spectators upon them, and we observed a great number of people perched upon the square tower of one of the city churches. The short space between the Castle entrance and the drop was lined on one side by the magistrates of the county, and on the other by the representatives of the press. At last the death-knell began to toll from the spire of St. Peter's Mancroft, and shortly after twelve o'clock the dreadful procession emerged from the Castle, and took its way to the drop. First came the Sheriffs and javelin-men, and then followed the convict, attended by the Governor and executioner; on their way they were met by the chaplain, who read the funeral service with a loud voice. The wretched prisoner moved along with great firmness. He was dressed in black, wore patent leather boots, and had his shirt collar, which was scrupulously clean, turned over. As his head was bare, the features of his face could be distinctly marked. They had undergone no perceptible change since his trial. Perhaps he might have looked somewhat paler, but his determined expression had not changed, and the man was in all respects the same unwavering, resolute being, who for six days conducted his own defence in a court of justice, though oppressed, not only by the conviction of his enormous guilt, but also by the knowledge that it had been so clearly brought home to him. His step never faltered, and he regularly marched to his doom. On catching sight of the scaffold, he lifted his eyes to heaven, raised as far as he could his pinioned hands, and shook his head mournfully from side to side once or twice. The pantomime was perfect, conveying almost as clearly as words a protest of innocence, combined with resignation to his fate. As he walked along he asked the governor what the words were with which the burial service ended. He was told that it was with the benediction, "The grace of our Lord Jesus Christ," &c., and he requested that the drop might fall when the chaplain came to those words.

The wretched man then mounted the scaffold, but instead of looking to the crowd without, turned his face to the Castle walls. Calcraft immediately threw the white night-cap over his head, and, fastening the fatal rope to the beam, adjusted the noose to his neck. The unhappy man, even at this dreadful moment, had not lost his coolness. "This does not go easy," he said, "put the thing a little higher—take your time—don't be in a hurry." These were his last words. The rope was in the right place—the drop fell—and in an instant the murderer was dead. No struggles ensued, and the dreadful ceremony was performed as quickly and as well as is practicable, and with fewer revolting circumstances than usual. During the whole time the crowd without maintained a solemn silence, and the only sounds that accompanied the fall of the body, and jerking of the tightened rope, were one or two faint shrieks. After being suspended for one hour, it was cut down, and carried back to the Castle on a litter. There a cast was taken from it, after which it was placed in a shell, previous to interment within the precincts. At five o'clock the features had undergone so great a change that no one could recognise them. The hair had then been shaved off, and the craniological development might be accurately observed. The appearance presented certainly seemed to justify the verdict of the jury. Thus perished, while still in the prime of life, James Blomfield Rush, the perpetrator of the Stanfield-hall murders.

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